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**Settlement and Integration in Scotland 1124-1214.
Local Society and the Development of Aristocratic Communities: With
Special Reference to the Anglo-French Settlement of the South East.**

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Contents

List of Abbreviations.	i
List of Maps	v
List of Tables	vi
List of Schematic Illustrations	vii
Introduction.	1
1. The Historiography of Twelfth Century Scotland. Identity and the case for revision.	7
2. Geographical Proximity, Locality and Collective Identity.	33
3. Religious Patronage as a regional phenomenon.	74
4. Religious Patronage and the local community.	100
5. Court Attendance and the Establishment of Loyalty to the Crown.	128
6. The creation of Aristocratic Lineages.	171
7. Conclusion: The creation of an Aristocratic Community and the Development of Local Society in Southeastern Scotland.	188
Appendices.	196
Bibliography.	215

List Of Abbreviations

<i>Arbroath Liber</i>	<i>Liber S. Thome de Aberbrother</i> (Bannatyne Club, 2 vols, Edinburgh, 1848-56).
<i>ANS</i>	<i>Anglo-Norman Studies.</i>
<i>APS</i>	<i>The Acts of the Parliaments of Scotland</i> , Vol 1 1124-1303. (Record Commission, London, 1844).
<i>St Andrews Liber</i>	<i>Liber Cartarum Prioratus Sancti Andree in Scotia</i> (Bannatyne Club, Edinburgh, 1841)
<i>Barrow, Anglo-Norman Era</i>	G.W.S. Barrow, <i>The Anglo-Norman Era in Scottish History</i> (Oxford, 1980).
<i>Black, Surnames</i>	G.F. Black, <i>The Surnames of Scotland: their origin, meaning and history</i> (2 edn Edinburgh, 1993).
<i>Bouchard, Sword, Miter and Cloister</i>	C.B. Bouchard, <i>Sword, Miter and Cloister. Nobility and the Church in Burgundy 980-1198</i> (Ithaca, 1987).
<i>Brinkburn Cart</i>	<i>Chartulary of Brinkburn Priory</i> , ed. W. Page (Surtees Society, 1893).
<i>Cambuskenneth Registrum</i>	<i>Registrum Monasterii S. Marie de Cambuskenneth</i> (Grampian Club, 1872).
<i>Cownie, Religious Patronage</i>	E.F. Cownie, <i>Religious Patronage in Anglo-Norman England 1066-1135</i> (Woodbridge, 1998).

Crouch, <i>Beaumont Twins</i>	D. Crouch, <i>The Beaumont Twins. The Roots and Branches of Power in the Twelfth Century</i> (Cambridge, 1986).
<i>Dryburgh Liber</i>	<i>Liber S. Marie de Dryburgh</i> (Bannatyne Club, Edinburgh, 1847).
<i>Dunfermline Registrum</i>	<i>Registrum de Dunfermelyn</i> (Bannatyne Club, Edinburgh, 1842).
ESC	<i>Early Scottish Charters Prior to A.D. 1153</i> , ed. A.C. Lawrie (Glasgow, 1905).
Genicot, <i>Rural Communities</i>	L. Genicot, <i>Rural Communities in the Medieval West</i> (Baltimore and London, 1990).
<i>Glasgow Registrum</i>	<i>Registrum Episcopatus Glasguensis</i> (Bannatyne and Maitland Clubs, 2 vols, Edinburgh, 1843).
<i>Guisborough Cart</i>	<i>Cartularium Prioratus de Gyseburne</i> , ed. W. Brown (Surtees Society, 2 vols, 1889, 1894).
<i>Holyrood Liber</i>	<i>Liber Cartarum Sancte Crucis</i> (Bannatyne Club, Edinburgh, 1840).
<i>J. Med Hist</i>	<i>Journal of Medieval History</i> .
<i>Kelso Liber</i>	<i>Liber S. Marie de Calchou</i> (Bannatyne Club, 2 vols, Edinburgh, 1846).
<i>Laing Chrs</i>	<i>Calendar of the Laing Charters, 854-1837</i> , ed. J. Anderson (Edinburgh, 1899)

Lawrie, <i>Annals</i>	<i>Annals of the Reigns of Malcolm and William, Kings of Scotland</i> , ed. A.C. Lawrie (Glasgow, 1910).
<i>Lindores Chartulary</i>	<i>Chartulary of the Abbey of Lindores</i> (SHS, 1903).
<i>Melrose Liber</i>	<i>Liber S. Marie de Melros</i> (Bannatyne Club, 2 vols, Edinburgh, 1837).
<i>Newbattle Registrum</i>	<i>Registrum S. Marie de Neubotle</i> (Bannatyne Club, Edinburgh, 1849).
<i>Northumberland</i>	<i>A History of Northumberland</i> vol xi (The Northumberland County History Committee, 1922).
OV	<i>The Ecclesiastical History of Orderic Vitalis</i> , ed. M. Chibnall 6 vols (Oxford, 1969-1980).
<i>Paisley Registrum</i>	<i>Registrum Monasterii de Passelet</i> (Maitland Club, Edinburgh, 1832: New Club, 1877).
PR	<i>Pipe Roll</i> .
Raine, <i>North Durham</i>	Appendix to J. Raine, <i>The History and Antiquities of North Durham</i> , (London, 1852).
RAL	<i>Registrum Antiquissimum of the Cathedral Church of Lincoln</i> vol iii, ed. C.W. Foster (Lincoln Record Society, 1935).
RBE	<i>Red Book of the Exchequer</i> , ed. H. Hall, 2 Vols (Rolls Series, 1896).
Rec. Com.	Record Commission.

Reynolds, <i>Fiefs and Vassals</i>	S. Reynolds, <i>Fiefs and Vassals. The Medieval Evidence Reinterpreted</i> (Oxford, 1994).
Reynolds, <i>Kingdoms and Communities</i>	S. Reynolds, <i>Kingdoms and Communities in Western Europe 900-1300</i> (Oxford, 1984).
RRAN	<i>Regesta Regum Anglo-Normannorum</i> , ed. H.W.C. Davis et al. 4 vols. (Oxford, 1913-69).
RRS i	<i>Regesta Regum Scottorum vol 1 The Acts of Malcolm IV King of Scots 1153-1165</i> , ed. G.W.S. Barrow (Edinburgh, 1960).
RRS ii	<i>Regesta Regum Scottorum vol 2 The Acts of William I King of Scots 1165-1214</i> , ed. G.W.S. Barrow (Edinburgh, 1971).
SHR	<i>The Scottish Historical Review</i> .
SHS	Scottish History Society.
SRS	Scottish Record Society.
VCH	<i>The Victoria History of the Counties of England 1900-</i> (references given in the form of <i>VCH, Bedfordshire, Huntingdon and Northampton</i> , with volume numbers).
Yester Writs	<i>Calendar of Writs preserved at Yester House, 1166-1503</i> , compiled by C.C.H. Harvey and J. Macleod (SRS, 1930).

List of Maps.

Map One	Yetholm and its Environs	P. 40.
Map Two	The Tweed Valley	P. 43.
Map Three	Hawick and its Environs	P. 46.
Map Four	Haddington and its Environs	P. 48.

List of Tables

Table One	<i>Pro anima</i> requests from the south east	P. 80.
Table Two	Breakdown of patronage by house under Malcolm IV	P. 90.
Table Three	Breakdown of patronage by house under William I	P. 90.
Table Four	The pattern of Hereditary Sucession 1124-1214	P. 182.

List of Schematic Illustrations

Figure 3.1	Relationships arising out of intra-regional patronage	P. 98.
Figure 4.1	Mutual ties of patronage in the Yetholm area	P. 110.
Figure 4.2	Mutual ties of patronage in the Tweed Valley	P. 114.
Figure 4.3	Mutual ties of patronage in the Innerwick area	P. 117.
Figure 4.4	Mutual ties of patronage in the Haddington area	P. 120.

**Settlement and Integration in Scotland 1124-1214.
Local Society and the Development of Aristocratic Communities: With
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Introduction.

The overwhelming emphasis of twelfth century Scottish historiography is towards the settlement and assimilation of the Anglo-French community. There currently exists a body of scholarship concerning the Anglo-French settlers in Scotland and a number of works have considered this subject in some depth.¹ There has not been, as yet, any comprehensive attempt to isolate and examine in detail the links and ties which bound the settlers together and which contributed to the establishment of a community identity among them. Where relationships have been considered, these have been largely in terms of personal vassalage. The feudal paradigm dominates the historiography of twelfth century Scotland and no sustained attempt has yet been made to examine the Anglo-French settlement outside of feudal norms. The assertion that relationships within the Anglo-French settlement can be characterised within the terms of reference provided by vassalage and personal service has been repeated so often that it has become something of a cliché.² Yet the

¹ The principal works which deal with the settlement in some depth are R.L.G. Ritchie, *The Normans in Scotland* (Edinburgh, 1954), chs. 3-8; G.W.S. Barrow, *The Kingdom of the Scots* (London, 1973), chs. 10-12; A.A.M. Duncan, *Scotland the Making of the Kingdom* (Edinburgh, 1975), chs. 7-8, 15; Barrow, *Anglo-Norman Era*, chs. 1-5; G.W.S. Barrow, *Kingship and Unity* (London, 1981), ch. 3; K.J. Stringer, *Earl David of Huntingdon. A study in Anglo-Scottish History* (Edinburgh, 1985), chs. 1, 9; *The Nobility of Medieval Scotland*, ed. K.J. Stringer (Edinburgh, 1985), ch. 1; G.W.S. Barrow, 'Frontier and Settlement which influenced which? England and Scotland 1100-1300', *Medieval Frontier Societies*, ed. R. Bartlett and A. Mackay (Oxford, 1989), 3-16; G.W.S. Barrow, *Scotland and its Neighbours in the Middle Ages* (London and Rio Grande, 1992), chs. 3-4; K.J. Stringer, 'Northeast England and Scotland in the Middle Ages', *The Innes Review*, Spring (1993), 88-99.

² For examples see Ritchie, *The Normans in Scotland*, 181-84, 370-77; Barrow, *The Kingdom of the Scots*, 279-310; Barrow, *Kingship and Unity*, 122; Duncan, *The Making of the Kingdom*, 140, 368, 410; Stringer, *Earl David*, 3, 37, 57-59.

analysis of personal vassalage as the medium for explaining individual ties has been largely confined to the great lordships and thus obscures the strands which were working towards the development of relationships between landholders who were not established within an honorial framework.³

The observations made by Geoffrey Barrow regarding the majority of minor landholders established in the south east of Scotland suggests the existence of a stratum of society which, being relatively neglected in the assessment of social relationships, would bear further analysis.⁴ These minor landholders have in the main attracted little comment, yet their existence raises a number of questions regarding the nature of local society during the twelfth century and challenges the current picture of social relationships in Scotland. I do not propose to attempt to revise the observations made with reference to the social conditions pertaining to the great lordships; that is not the principal aim of this thesis although the question of the significance of superior lordship is something which will inevitably be discussed in the debate on social ties. The picture however, is more subtle than that presented in the older secondary literature. I intend to challenge a number of assumptions which not only disregard the question of relationships between relatively minor landholders and their families, but which also overlook the possibilities for the development of local community relationships within specific geographical locations.

A detailed examination of the interactions between individuals and their wider

³ For discussion of relationships within the context of the great lordships see Barrow, *The Kingdom of the Scots*, 279-310; Barrow, *Anglo-Norman Era*, 61-91; Duncan, *The Making of the Kingdom*, 133-215; Stringer, *Earl David*, 54-57, 80-90.

⁴ For Barrow's comments regarding the more minor landholders established in the south east of Scotland see Barrow, *Anglo-Norman Era*, 91-92; Barrow, *The Kingdom of the Scots*, 295.

social experiences is the primary aim of this thesis. It is intended that such an investigation will present a picture of local society within which the ties between individuals and families are more multi-faceted than a strict feudal presentation of society would allow. This formulation takes into account a number of components and involves the important consideration of religious patronage as an indicator of local attachments.⁵ The investigation of the social role of religious patronage, including consideration of personal motivation and the politics of choice, will be the subject of two chapters and will provide an important indication of the strength of local attachments and social ties. The main theme throughout this work will be that the development of local society involved the integration of a number of social groups within a framework provided by relatively clear geographical boundaries. This thesis thus aims to portray the main characteristics of local society in more three dimensional terms than have been previously attempted, by approaching the subject from a number of different angles. The thesis will accordingly elaborate the existing picture of Scottish society, through the movement of discussion away from the narrow confines of superior lordship.

Roxburghshire and Central-East Lothian have been chosen for study because they are on the whole well known and relatively well resourced in terms of documentary sources. As recognised by Barrow, these areas contained a relatively large number of settler families and individuals, the majority of whom were small landholders who appear to have been settled on pre-existing social and economic units. Little that was new was actually created in the sample

⁵ The social role of religious patronage has not previously been addressed in a Scottish context; although a number of scholars have considered the subject from a wider Anglo-Norman and Continental perspective. See examples in Bouchard, *Sword, Mitre and Cloister*, 23-24, 138-48; Cownie, *Religious Patronage*, 9, 180, 200-10.

areas (in terms of landholding) and they continued to house a significant number of older Anglian families alongside the incoming Anglo-French. This can prove to be important within the issues of settlement, integration and attachment. The sample areas chosen for study can be considered atypical in relation to landholding in other parts of Scotland. They contained few large honorial units or great territorial lordships and were populated in the main by smaller landholders both native and colonial who appear not to have been linked by ties of dependance. This makes them ideal for an examination of the relationships which may have developed between individuals and small local communities. Accordingly the methodological approach to this subject will first examine the associations within each geographical community and will then widen out to include the ways in which individuals and communities could interact with each other across local boundaries. As such, the Dunbar and Lauderdale nexus (which made up a sizeable proportion of the south east) have not in the main been included in detailed analysis although they will be discussed from time to time to make a specific point and also to exclude accusations of isolation and perverse selectivity. Furthermore the south east as a whole was not a remote border region but contained a number of significant royal institutions such as royal monasteries, sheriffdoms, burghs and castles. As such there was a powerful royal presence in the area (which until the later reign of William I was in itself atypical relative to other areas of Scotland), which allows for the analysis of the role of the court in the process of assimilation and integration.

This royal presence will be explored through a number of areas of study including the important issues of religious patronage. The monasteries chosen for analysis were all royal foundations and their patronage can add depth to the

suggested influence of royal factors on settlement and integration. The communities chosen are all relatively well resourced in terms of their documentary survivals and can accordingly provide the means of sustained analysis. Furthermore, the fact that so many major foundations existed in a relatively small geographically area allows for a discussion of local factors in the politics of choice. By and large the smaller female houses in the region were not studied in detail as the methodological approach to patronage was to focus upon the influence of the major royal houses on the process of attachment.⁶

The main tenets of the current historiographical approaches to twelfth century Scotland will be discussed in detail in Chapter One. The chapter will suggest on empirical grounds why a revised and elaborated picture of society and social relationships is both feasible and necessary. Chapter Two will open the discussion of the main characteristics of local society. The analysis will examine the fragmentation of society into small local communities and will include a detailed discussion of settlement, topography and local interaction. The chapter's main themes will include the suggestion that geographical proximity formed the basic association between individuals and provided the boundaries within which further ties could develop. Chapters Three and Four will discuss the question of the social importance of religious patronage. Chapter Three will specifically address the politics of choice within the regional framework which conditioned the majority of patronage from the south east. Chapter Four will explore what the investigation of patterns of patronage can reveal about the nature and structure of local society and will specifically address the issue of

⁶ The female houses were also not chosen for detailed study due to their relative lack of resource material and the fact that so many of them were either the foundation or the preserve of a magnate family for example, North Berwick Priory and the Earldom of Fife or Coldstream and the Earldom of Dunbar.

benefactions and the development of local attachments. The wider issues of regnal loyalty will be discussed in Chapter Five which will examine the range of relationships that individuals may have had with the Scottish kings. The analysis of these relationships will indicate that a largely provincial aristocracy was given a more regnal dimension through royal influence and service, and that in a number of cases, individuals settled in Scotland after 1124 used the court as a means of entry to the highest reaches of political society. The chapter will argue that the older established native élite was not *systematically* discriminated against after the Davidian period and that methodological tools such as witnessing patterns, which have been used to argue for the eclipse of for example the native earls, are not reliable indicators of power relationships.⁷

The final general chapter will return the focus to the analysis of local society and will examine the effects of developing aristocratic lineages upon the stability of local attachments. This thesis will thus contend that by 1214 there emerged a lower stratum of the aristocracy which after settlement in Scotland developed predominantly Scottish interests and attachments. These interests are reflected in a number of elements and it is thus to be hoped that a thorough examination of social relationships will provide a coherent analysis of the main characteristics of local society and the way in which individual Anglo-French families became integrated into their local surroundings.

⁷ For the view that the native earls lost power and influence during the Anglo-Norman period based upon attestation statistics see *RRS* i, 7; Barrow, *Scotland and its Neighbours*, 62; R.A. McDonald, *Kings and Princes in Scotland: Aristocratic Interactions in the Anglo-Norman Era* (Unpublished Ph.D thesis, University of Guelph, 1993), 443-444, 450, 452-469.

The Historiography of Twelfth Century Scotland. Identity and the Case for Revision.

The twin themes of settlement and social change which run through Scottish historiography have a relatively long history. A series of essays by Cosmo Innes published in 1860 deal with a number of issues relevant to a discussion of local attachments and social identities.¹ Where they touch upon the Anglo-Norman period Innes's sketches range from the settlement of individual Anglo-Frenchmen to the introduction of monastic reform during the reign of David I. Where he deals with settlement, Innes names the principal Anglo-French settlers and he frames his discussion upon the assumption that their establishment in Scotland followed accepted feudal practices and norms.² The parameters of debate had changed relatively little in Graeme Ritchie's 1954 publication entitled *The Normans in Scotland*. Ritchie's work contains many of the assumptions made in the previous century by Innes. His framework is based upon a number of tenets which take it for granted that as a concomitant of foreign settlement, David I introduced into his kingdom an Anglo-Norman system which included the full panoply of Norman feudalisation within which vassalage became the defining personal and social bond.³ Much of Ritchie's work on settlement is concerned to show the all pervasive nature of Norman settlement after 1124 and he regards the kingdom in the second half of the

¹ C. Innes, *Scotland in the Middle Ages. Sketches of Early Scotch History and Social Progress* (Edinburgh, 1860). See also his study of the early charters and landholding patterns in Roxburghshire contained in *Origines Parochiales Scotiae* (Bannatyne Club, Edinburgh, 1851-55).

² Innes, *Scotland in the Middle Ages*, 88-89.

³ Ritchie, *The Normans in Scotland*, 154-59, 181-87, 275-94.

twelfth century as being completely Normanised.⁴ Ritchie makes no attempt to discuss social identities outside of the terms of reference provided by the honor and as such his work stands as a paean to the ubiquity of Norman settlement and the inclusiveness of honorial society in the twelfth century kingdom. More recent scholarship has tended to be more judicious in its use of language, especially regarding the complete Normanisation of the kingdom and the effects this had on society as postulated by Ritchie. Yet the emphasis which continues to be placed upon settlement and social change can clearly be seen in a number of more modern works.⁵

Geoffrey Barrow has dealt extensively with settlement. His work has revealed that over much of Scotland, especially south of the Forth, the twelfth century was characterised by large scale colonisation of the land.⁶ Barrow has examined the physical geography of the settlement in considerable depth and he has detailed wherever possible both the Anglo-French personnel involved and their English or continental origins. His work has made the significant point that, although the political and social significance of the great Anglo-French lordships held by for example, the families of de Moreville, de Brus and fitz Alan should not be underestimated, it was the smaller feus which were spread throughout the areas of colonisation which gave the settlement its stability and character.⁷ He has accordingly detailed a considerable number of

⁴ Ritchie, *The Normans in Scotland*, 227, 378.

⁵ A useful discussion of this more modern (post 1960) historiography based upon the development of 'Barrovian feudalism' can be seen in an article published in 2000 by Richard Oram. R.D. Oram 'Gold into Lead? The State of Early Medieval Scottish History', *Freedom and Authority. Scotland c1050 - c1650. Historical and Historiographical Essays presented to Grant G. Simpson*, ed. T. Brotherston & D. Ditchburn (East Linton, 2000), 32-43.

⁶ For example see Barrow, *Anglo-Norman Era*, 30.

⁷ Barrow, *Anglo-Norman Era*, 91-92; Barrow, *The Kingdom of the Scots*, 295.

these smaller lordships and the families who held them. His work has included an in depth examination of subinfeudation on the larger feus and the role this played in entrenching the Anglo-French presence on the ground.⁸ As such Barrow has commented widely on the extent to which the newcomers were quickly assimilated to their new surroundings. Barrow's work thus contends that by the beginning of the thirteenth century, families, kindred, provinces, lordships and baronies all formed communities marked more or less by a form of social cohesion and that it was these communities which determined an individual's occupation and loyalty.⁹ Geoffrey Barrow accordingly provides major insights into the growing cohesion of the twelfth century Scottish kingdom.

Yet where he has touched upon the issues of local attachment and the development of social networks, it has largely been discussed with relevance to the great lordships and their military tenants.¹⁰ He has not considered in any great depth the ties which may have established a common identity among the more minor feu holders and as such his work has tended to treat this important landholding group as individuals with no obvious links between them. Indeed feudalism and the relations of vassalage within the greater lordships are almost indubitably the leitmotif of Barrow's examination of the Anglo-French settlement in Scotland and the introduction of feudal norms is described as a conscious policy pursued by David I and his successors.¹¹ Barrow's line of reasoning thus seems to be that the twelfth century kings were intent on

⁸ Barrow, *Anglo-Norman Era*, 61-91.

⁹ For comments on this subject, see for example Barrow, *Kingship and Unity*, 122.

¹⁰ Barrow, *The Kingdom of the Scots*, 279-310; Barrow, *Anglo-Norman Era*, 61-91.

¹¹ Barrow, *Scotland and its Neighbours*, 39, 53, 57; Barrow, *Kingship and Unity*, 2, 283-84.

introducing a new order and in terms of power politics 'the incomers held the initiative', real power and patronage could only remain with 'those members of the old native aristocracy who were prepared to adapt themselves'.¹²

A similar concentration on the Anglo-French settlement of Scotland colours the work of Archie Duncan. His 1975 publication entitled *Scotland. The Making of the Kingdom*, includes detailed comment on the Anglo-French penetration of the kingdom following the accession of David I.¹³ His work has also detailed the entrenching of the settlement through subinfeudation and again, like Barrow, he has commented on the assimilation of the incomers to their surroundings.¹⁴ However, Duncan has argued against the strict relationships of feudal tenure postulated by Barrow. He has concluded that relationships based upon tenure were coincidental to the primary relationships between individuals stemming from the power and status of the lord and the fact that a knight's lands lay within the territorial sphere of his influence.¹⁵ Yet, however important these observations were once again he does not, to any great extent, address the issues of aristocratic relationships outside of the terms of dependence and mutual obligation and as such his comments are largely limited to a discussion of relationships on the larger feus.¹⁶ Accordingly, like Barrow, Duncan has made little or no comment on the links and ties which characterised the relationships of the smaller feu holding aristocracy in south

¹² Barrow, *Scotland and its Neighbours*, 80.

¹³ Duncan, *The Making of the Kingdom*, 133-215.

¹⁴ *Ibid*, 368-78.

¹⁵ *Ibid*, 407-8.

¹⁶ Duncan has noted that twelfth century lordships were characterised by a number of complex relationships including those stemming from financial transactions but his discussion remains firmly within the field of the identifiable honors established in the kingdom. See Duncan, *The Making of the Kingdom*, 139-40, 180, 368-410.

eastern Scotland. The issues of settlement have also been the themes of several other works which consider the Anglo-French presence in specific areas during the twelfth century.

A determindly Barrovian line has been taken by R.A. McDonald in a 1997 publication dealing with the developing kingdom's relationship with the western seaboard during the twelfth and early fourteenth centuries.¹⁷ In short where he deals with the twelfth century, McDonald regards the relationship between the native ruler Somerled and the kingdom as essentially a clash between a feudalising monarchy represented, in particular, by the Fitz Alan family and the anti feudal reaction of celtic traditionalists.¹⁸ McDonald's debate accordingly remains conditioned by the imperetives of social transformation and the all important influence of an incoming elite.

Against this can be set the work of Richard Oram and Keith Stringer. Oram has examined the Anglo-French settlement in Galloway.¹⁹ His work has discussed the problems encountered in the attempted colonisation of this volatile area. His work reveals the extent to which incoming Anglo-Frenchmen were restricted to a relatively narrow strip of settlement and stresses the continued importance of an older kin based society. Accordingly, Oram has moved debate away from a (traditional) vision of a confrontational relationship between native lords and feudal colonists and has postulated the continuing dominance of native aristocrats who, despite the trappings of Anglo-

¹⁷ R.A. McDonald, *The Kingdom of The Isles: Scotland's Western Seaboard c1100 - c1336* (East Linton, 1997).

¹⁸ *Ibid*, chs. 2-3.

¹⁹ R.D. Oram, 'A Family Business? Colonisation and settlement in twelfth and thirteenth century Galloway', *SHR*, 194 (1993), 111-145.

Normanised urbanity, continued to rule as native lords.²⁰

Keith Stringer has dealt extensively with the issues surrounding settlement and loyalty in a number of works which have included detailed comment on the settlement of the Garioch under Earl David of Huntingdon.²¹ His work has detailed the principal settlers and the contacts which they brought to their new surroundings. In particular Stringer's work has illuminated the complex range of ties, social, economic, ecclesiastical and cultural which both individuals and institutions either brought with them to Scotland or developed over time and the extent to which these elements coloured social and political life. Yet whilst Stringer has noted that it was by no means unusual for small landholders to maintain cross border interests he has also made the significant point that individuals could have a number of local identities and could function as locals within a number of settings.²² Stringer's work on settlement has accordingly noted, especially in the Garioch, the extent to which community ties could be formed within a settler aristocracy.²³ Yet as with Barrow and Duncan, Stringer has not considered to any great depth the possible attachments of those individuals who by and large did not fall into an honorial structure.

As such no detailed study of the attachments and possible networks developed

²⁰ Oram, 'Family Business', 134.

²¹ See Stringer, *Earl David*, ch1; Stringer, *The Nobility of Medieval Scotland*, ch. 1; Stringer, 'Northeast England and Scotland', 88-100; K.J. Stringer, 'Periphery and Core in Thirteenth Century Scotland: Alan son of Roland Lord of Galloway', *Medieval Scotland, Crown, Lordship and Community. Essays Presented to G.W.S. Barrow*, ed. A. Grant and K.J. Stringer (Edinburgh, 1993), ch. 4; K.J. Stringer, 'Identities in Thirteenth Century England. Frontier society and the far north', *Social and Political Identities in Western History*, ed. C. Bjorn, A. Grant and K.J. Stringer (Copenhagen, 1994), 29-66.

²² Stringer, *Earl David*, 90, 209-10.

²³ *Ibid*, 90.

by the smaller landholders currently exists. Whilst the work of Judith Green for example has suggested a number of possible areas for debate such as religious patronage and a closer definition of the relationships between an outlying area and the political centre, she does not explicitly develop sustained analysis beyond the relationships found within the greater lordships.²⁴ In a similar fashion William Kapelle deals with the transformation of Northern English society during the reign of Henry I. Although his work stresses the importance of co-operation and collaboration in the construction of communities, his analysis is set firmly within an honorial framework.²⁵ There is thus a need to develop further the historiographical approach to the Anglo-Norman period and the centrality of honorial society in social relations. In general this approach stands as a misrepresentation of the experience of the majority of landholders established in the south east following the accession of David I in 1124. Within this area the honorial community was not a major unit of social interaction. Only three lordships approaching the honorial ideal were established in the area at Lauderdale, Innerwick (both in Lothian) and the earldom of Dunbar. Whilst a possible fourth was established in Roxburghshire on the feu of the de Ryedale family, the majority of landholders established in the area did not conform to the generalised type of social relationships discussed with reference to the great lordships in the work of Barrow and Duncan *et al.* Yet as noted above, no discussion of the possible ties and attachments of the majority of small independent landholders currently exists

²⁴ See J.A. Green, 'Anglo-Scottish Relations, 1066-1174', *England and her Neighbours: essays presented in honour of Pierre Chaplais*, ed. M. Jones and M. Vale (Edinburgh, 1989), ch. 4; J.A. Green, 'Aristocratic Loyalties on the Northern Frontier of England c 1100-1174', *England in the Twelfth Century. Proceedings of the 1988 Harlaxton Symposium*, ed. D.T. Williams (Woodbridge, 1990), 90-100; J.A. Green, 'David I and Henry I', *SHR*, 199 (1996), 1-19.

²⁵ W.E. Kapelle, *The Norman Conquest of the North: The Region and its Transformation, 1000 - 1135* (London, 1975).

outside of the limited references provided by feudal norms and the honorial structure. However, within wider Anglo-Norman and continental scholarship, a number of authors have suggested that there was more to social relationships than the feudal paradigm and the centrality of vassalage.

The presentation of a model of society based upon community and horizontal social ties has been the concern of the work of Susan Reynolds.²⁶ She questions the historiographical assumption that fiefs and vassalage were the central and defining institutions of medieval society and she rejects the feudal pyramid as the central model of social and political relations.²⁷ Reynolds has put forward the view that 'the terms fief and vassal in so far as they are definable and comprehensible are not helpful to an effort at understanding medieval society'.²⁸ Her contention is that historians have used both terms in a narrow legalistic sense when neither are present in their sources and as such they distort the relations of property and politics which they seek to discuss.²⁹ Accordingly, Reynolds has sought to illuminate alternatives to personal vassalage as the main form of social relations at all levels of society. Her principal focus is upon collective identity and the horizontal bonds of society which form a sense of community through shared experience and common action. Community is described as the opportunity for collective action within

²⁶ S. Reynolds, *Ideas and Solidarities of the Medieval Laity. England and Western Europe* (Aldershot and Brookfield, 1994); Reynolds, *Kingdoms and Communities*; Reynolds, *Fiefs and Vassals*.

²⁷ Reynolds, *Fiefs and Vassals*, 6-7.

²⁸ *Ibid*, 2.

²⁹ *Ibid*, 2. Certainly Scottish historians have used these terms without adequate documentary authority. For example, Keith Stringer continues to assume the centrality of feudal conventions. He relies on the 'basic reality of homage and fealty as a social force', assuming that such is hidden behind the formal language of the available charters, Stringer, *Earl David*, 88-89.

firm geographical boundaries and is given expression through common action and expectation.³⁰ In support of her argument, Reynolds provides a number of examples such as attendance at shire courts, local action and participation in local religious life through the attendance and patronage of local religious communities and churches, all of which engender a sense of community through the opportunities they provide for communal activity.³¹ Vassalage is regarded by Reynolds as being only one of a number of social ties and the social model put forward in her work is accordingly both complex and multi-faceted.³²

A similar emphasis on the role of community in social relations can also be seen in the work of Léopold Genicot. In a 1990 publication entitled *Rural Communities in the Medieval West* Genicot has suggested that communities operated at all levels of society and he has provided a working definition of a community as being a group which offers some geographical specificity and self-consciousness.³³ Genicot regards communities as being formed from geography and vicinity, juridical status, religion and tradition. External relationships offer a fourth category within which communities can define themselves in collective terms.³⁴ He has argued that within a communal society, many threads led outward from the village/lordship to the locality, to

³⁰ Reynolds, *Kingdoms and Communities*, 1-2.

³¹ *Ibid*, 87-93, 125.

³² Reynolds, *Fiefs and Vassals*, 46.

³³ Genicot, *Rural Communities*, 4-5.

³⁴ *Ibid*, 4-5, 11.

the region and to the kingdom/principality.³⁵ These threads were multifarious and operated on a number of different levels but they gave to each geographical area a distinct self consciousness which should not be ignored in a discussion of medieval society. Genicot has thus concluded that in terms of collective identity, separating the individual village from the locality and region and even from the identity of the kingdom would be an error. All were linked with self-conscious bonds and accordingly, communal ties were the defining social and political relationships during the middle ages.³⁶

David Crouch and John Hudson have also examined a number of aspects within social relations which can temper the centrality of the feudal model of society.³⁷ Whilst neither have excessively denigrated the role of feudal ties, they have both suggested approaches which tend to reduce the primacy of a strictly feudal world. Although David Crouch has argued for the continuing importance of the honor in twelfth century society, he has questioned its central role and he has suggested that lordship was only one of several relationships which focused identity and social cohesion. He has suggested that society was constructed of a number of elements including local interests,

³⁵ Genicot, *Rural Communities*, 108.

³⁶ Genicot's work thus shows a correspondence with the primacy of horizontal communal ties argued by Susan Reynolds; *Ibid*, 108-10.

³⁷ Crouch, *Beaumont Twins*; J. Hudson, 'Life Grants and the development of inheritance in Anglo-Norman England', *ANS*, xii (1989), 67-80; D. Crouch, 'Debate: Bastard Feudalism Revised', *Past and Present*, 131 (1991), 165-177; D. Crouch, *The image of Aristocracy in Britain 1000-1300* (London, 1992); D. Crouch, 'Normans and Anglo-Normans: A divided aristocracy?', *England and Normandy in the Middle Ages*, ed. D.R. Bates and A. Curry (London and Rio Grande, 1994), 51-69; J. Hudson, *Land, Law and Lordship in Anglo-Norman England* (Oxford, 1994); J. Hudson, 'Anglo-Norman land law and the origins of property', *Law and Government in Medieval England and Normandy. Essays in honour of Sir James Holt*, ed. G. Garnett and J. Hudson (Cambridge, 1994).

religious patronage, baronial affinities and local geographical communities.³⁸ Crouch thus regards the idea of a strictly feudal world as being of dubious value and he has cautioned against using the term feudal as an obstacle to intelligent argument.³⁹ John Hudson has also suggested that society in the Middle Ages was more complex than the strictly feudal model would allow. In particular, his work on landholding has argued that Anglo-Norman England was not a truly feudal world of landholding based upon the personal relationships of vassalage, but one in which more proprietary notions have an essential place. Hudson draws attention to the extent to which tenants could have and pursue their own ties and agendas through property alienation and inheritance rights.⁴⁰ Whilst retaining a role for seignorial rights, Hudson removes the centrality of vassalage and places it among a variety of relationships within which society can be seen to have been governed.

The works outlined above suggest that there was a multiplicity of social forces at work during the twelfth century. Removing the centrality of feudo-vassalic relations from the discussion of the settlement in the south east of Scotland allows a number of elements to stand out which it can be argued were important in drawing the Anglo-French settlement into a number of local communities with complex and multi-layered local and regional ties. The southeastern settlement consisted of small local groupings characterised by some geographical specificity within relatively clear boundaries and as such

³⁸ Crouch, 'Bastard Feudalism', 167; Crouch, *Beaumont Twins*, 138. Sir James Holt has also suggested that there were a number of complex ties and relationships within the society of northern England during the early thirteenth century; J.C. Holt, *The Northerners: A study in the reign of King John* (Oxford, 1961), 36-37.

³⁹ Crouch, 'Bastard Feudalism', 16.

⁴⁰ Hudson, 'Anglo-Norman Land Law', 210-14. Paul Dalton has also advanced a similar argument regarding the independent standing of tenants in twelfth century Yorkshire; P. Dalton, *Conquest, Anarchy and Lordship in Yorkshire* (Cambridge, 1994), 257-97.

these groups correspond to Genicot's discussion of rural communities as being rooted in geography and vicinity.⁴¹ Within each locality evidence can be found which also corresponds to the argument put forward by Susan Reynolds which regards community as being the establishment of a forum for collective action and local concerns.⁴² Of course, the models put forward by Genicot and Reynolds require rigorous testing and in a number of cases the evidence for the full range of horizontal relationships espoused by Reynolds is unavailable in a Scottish context. Yet evidence for complex social ties within each geographical community can be found in the Scottish sources including proximity, common action, marriage and religious patronage. These elements helped to link individuals and families together and where such took place within specific geographical boundaries they do suggest that Reynold's model of society based upon community and horizontal social relationships can be recognised in a local context.

The evidence from south eastern Scotland as it develops through the twelfth century adds an important empirical study to the general models of society put forward by Genicot and Reynolds. The argument for a southeastern society characterised by small local communities goes some way to shifting the focus away from the current stream of Scottish historiography with its emphasis on feudalism as the medium for explaining social relationships and attachments. The contention here is that this vision of Scottish society is surely anachronistic and overestimates the social value of allegedly feudal norms. The implications of such an argument are important. They suggest that the Anglo-French settlement of southeastern Scotland developed into a regional society

⁴¹ Genicot, *Rural Communities*, 4-5.

⁴² Reynolds, *Kingdoms and Communities*, 1-2.

characterised by small local communities within which a number of elements helped to form complex and multi-layered ties and relationships between individuals and families. Furthermore, the examination of these relationships must include a significant native element as a constituent part of local society. Without explicit documentary references it is hard to determine the extent to which the native Anglian aristocracy may have been replaced by the new elite. Yet it can be doubted that there were many wholesale dispossessions of native land. As Keith Stringer has noted, the Anglo-French settlement seems not to have included much tenurial engineering.⁴³ Accordingly, the settlers would have been fitted into or around such social units as already existed, as and when such units became available.⁴⁴ This would have had the effect of leaving much of the native establishment in place and active within their local communities.⁴⁵ The relationships of these native landholders to their Anglo-French neighbours included ties of proximity, marriage and mutual ties of religious patronage. As such the communal model stands as a counterpoint to the overestimation of the place of the incoming Anglo-French element in local society postulated by Innes and Ritchie and carried forward by, for example, Geoffrey Barrow.⁴⁶

⁴³ Stringer, *Earl David*, 4.

⁴⁴ This is suggested in the well known grant of land at Athelstaneford to Alexander de St Martin in which the grant expressly states that the feu would stand at half a knight's feu until the crown could make it up to a full one, *ESC*, no. 186. Just such a situation has been noted by Robert Bartlett in his comments on the settlement of eastern Europe, R. Bartlett, *The Making of Europe, Conquest, Colonization and Cultural Change*, (London, 1993), 141.

⁴⁵ See comments on such individuals in subsequent chapters.

⁴⁶ Note, however that more modern scholarship has indicated the strong survival of a kin based Celtic social structure in other areas outwith the south east. See for example, Oram, 'A family business', 111-45; J. Bannerman, 'MacDuff of Fife', Grant and Stringer, *Medieval Scotland*, 20-38. See also comments by Michael Lynch in, M. Lynch, *Scotland: A New History*, (London, 1991), ch.6.

There is little need here to comment too closely on the initial details of the settlement during the period 1124-1153, but several observations can be made which have a direct bearing on the subject under discussion. The reign of David I witnessed the grants of relatively few large and geographically widespread lordships. Only five such lordships were granted to incomers under David I at Annandale, Eskdale, Liddesdale, Lauderdale and in Renfrewshire. More typical of the Anglo-French experience of settlement was the pattern of small and compact landholding as found established in Roxburghshire, which suggests that the Anglo-French settlement was largely developed through small feus. Whilst this phenomenon has been discussed by the majority of Scottish historians, to date none have attempted to discuss the importance of these small feus or isolate and examine the ties which may have existed between them in a specifically local context.

Seven landholdings can be identified as having been granted to settlers in Roxburghshire during the reign of David I and provide a representative sample of the type of settlement to be found elsewhere in the southeastern region. In Roxburghshire, David I established feus in what were to become three distinct local areas. These areas were in the east of the county near the modern border with England, along the valley of the River Tweed and in the centre of the county in the environs of Hawick. In the east of the county, Walter de Ryedale was granted a feu at Whitton, made up of the village of Whitton and half of the nearby property of Chatto.⁴⁷ These two properties were held approximately three miles apart in the region of Hownam and made up a single knight's feu. Walter also held property at Lilliesleaf approximately seven miles north of Hawick and he also held a shieling at Riccalton situated in Oxnam parish four

⁴⁷ *RRS* i, no. 42; *ESC*, no. 222.

miles south east of Jedburgh.⁴⁸ On what is now the border with England close to the lands of Walter de Ryedale, David I infest Walter Corbet with one of the largest landholdings in the area made up of the modern villages of Yetholm, Kirk Yetholm and Morebattle with additional property at Clifton in Morebattle parish.⁴⁹ These properties lay within a radius of four miles and they were situated some six and a half miles from Whitton. Walter Corbet also held land at Makerstoun along the valley of the Tweed, nine and a half miles from Yetholm.⁵⁰ David I also established three feus within a seventeen and a half mile stretch of the Tweed Valley. Along with the Corbet feu at Makerston David I infest Geoffrey de Percy and his brother Alan with a landholding at Heiton which included the village of Oxnam situated approximately nine and a half miles to the south.⁵¹ The final landholding along the valley was granted to Thomas de Londres at St Boswells, comprising of a portion of the village situated one and a half miles along the river from Makerston.⁵²

Elsewhere in the county, Berengar Engaine was granted a feu at Crailing which could be said to constitute part of the Tweed Valley group without being along the actual line of the river. His feu was made up of a small parcel of land held five miles south and west of Heiton to the north east of Jedburgh.⁵³ Finally, at Hawick, Ralph Lovel was granted the largest feu in the county, holding his three properties of Hawick, Robertson and Branxholm within a

⁴⁸ *RRS i*, no. 42.

⁴⁹ The Corbet feu is detailed in Barrow, *The Kingdom of the Scots*, 34.

⁵⁰ *Kelso Liber*, nos. 235-36.

⁵¹ *RRS i*, no. 95; *ESC*, nos. 251-54.

⁵² The de Londres feu is detailed in Barrow, *Anglo-Norman Era*, 183.

⁵³ The Engaine feu is discussed in Duncan, *The Making of the Kingdom*, 139.

radius of six miles in Upper Teviotdale.⁵⁴ These Roxburghshire examples illustrate the point that in the south east David I established a majority of small landholdings which were characterised by a relatively compact nature within a limited geographical area which can itself be divided into a number of distinct localities. The pattern is similar across the southeastern region. For example, a number of feus were established in Berwickshire within a radius of eleven miles along the line of the modern border to the west of Berwick upon Tweed.⁵⁵ In Lothian, eight feus were established within a radius of approximately thirty miles.⁵⁶ The reigns of David's successors witnessed a development of this pattern with further settlement being fitted in alongside more established landholdings.

The key to the apparently limited size of the landholdings granted by David I in the south east of his realm appears to lie in the nature of the settlement itself. This was not a conquest, but a gradual movement instigated from the first by the Scottish crown. As noted above the settlement occasioned little tenurial engineering. The crown's continental adherents were usually enfeft with

⁵⁴ Barrow notes that Hawick may have come to Lovel through marriage, his wife Margaret being the heiress or dowager of Hawick; Barrow, *Anglo-Norman Era*, 184. It is clear that Lovel's lordship placed him on a more elevated plane than his neighbours including, as it did, most of upper Teviotdale. Furthermore his landholdings included significant property in south west England, *ibid.* Note the subject of noble hierarchy will be discussed in Chapter Two.

⁵⁵ Walter de Lindsey, Hernulf and Roger de Ovr held land at Lamberton, Swinton and Langton respectively as detailed in *ESC*, nos. 100-01, 192, 270. These feus have been included as being independent of the landholdings established within the larger lordships of Lauderdale and the Earldom of Dunbar, both of which included a number of subtenancies granted to Anglo-French settlers.

⁵⁶ In the Edinburgh area David I established Geoffrey de Melville at Melville and Norman at Corstorphin. He also established a number of feus in the Haddington area including his daughter in law Ada de Warenne at Haddington, Alexander de St Martin at Athelstaneford, Alexander de Seton at Seton and the Graham family at Cousland. Finally, he also established Gervase Ridel at Cranston and Herbert fitz Bertolf at Kinneil, both in West Lothian; *RRS* i, nos. 42, 88; *ESC*, nos. 152, 186; Barrow, *Scotland and its Neighbours*, 57.

parcels of land as and when they became available. It is doubtful if much new colonisation took place in southeastern Scotland during the twelfth century. As Michael Lynch has noted many of the new feus were actually fitted into older boundaries which had been developed for centuries prior to 1124.⁵⁷ As such these feus consisted of the redefined grants of existing social and economic units.⁵⁸ A good example of this can be seen in the landholdings granted to Walter Corbet. Barrow has noted that Corbet's lordship consisted of a preexisting economic unit which had its roots in the areas Anglian past. This had its centre at Yetholm with the other named lands being economically dependent and which included the land held by him over the border in Northumberland.⁵⁹ Other such examples from Roxburghshire probably include the lordship of Ralph Lovel at Hawick and the landholdings established within the fertile valley of Upper Tweeddale.⁶⁰ The language of charters of infektment accordingly often creates the impression of a *de novo* lordship and as such hides this important element of redefinition. In reality there was probably a lack of tenorial upheaval and as such this had the dual effect of limiting the size of individual landholdings and chronologically spreading the settlement throughout the period of David's reign and the reigns of his successors. Implied here is the reality of a crown unwilling or perhaps unable to make room for its continental supporters by dispossessing native landholders. This is not to suggest that some native landholders did not find

⁵⁷ Lynch, *Scotland*, 53-54, 82-83.

⁵⁸ See Bartlett's comments regarding this factor within the context of wider frontier colonisation. Bartlett, *The Making of Europe*, 161-64.

⁵⁹ Barrow's comments are in Barrow, *The Kingdom of the Scots*, 34. For further comment on Corbet's English lands see *A History of Northumberland xi*, The Northumberland County History Committee, 1992, 128-30.

⁶⁰ Lovel's acquisition of Hawick by marriage presupposes that this was a preexisting territorial unit. See also comments by Lynch in Lynch, *Scotland*, 53.

themselves dispossessed or (as is more probable) find that they had a French landlord imposed upon them. But in the main there appear to have been few natives pushed off their land to make way for an incoming elite.

A further element in the size of the feus granted out by David I probably lies in the relative security of the crown in a given area. It is perhaps not coincidental that the great geographically widespread lordships were largely granted to the west of the sample area in for example Annandale, Renfrewshire etc. Here the control of the crown was not as secure as in the south east and was often threatened by neighbouring magnates. Placing trusted clients in possession of large tracts of territory in such threatened areas appears to have been a deliberate policy of concentrating the lands of adherents in the west as powerful instruments of control, backed up by a superior kind of lordship involving judicial powers, the building of castles and the settlement of military tenants. Whilst this argument may not be a complete explanation, it is surely not a coincidence that out of the five great lordships created during the reign, three of them (Lauderdale, Eskdale and Liddesdale) went to former Midlands tenants of the king in his capacity as earl of Huntingdon, whilst a fourth (Annandale) was granted to Robert de Brus a long time friend and ally of the Scottish King.⁶¹ The point here is that all of these men were indeed known and presumably trusted friends and clients of David I. The origins of the east-west divide in the size of the feu created during the period 1124-1153 probably lies in the nature of the settlement itself and the requirements of control.

⁶¹ David's association with de Brus went back to at least 1103 when he witnessed a charter of Henry I exchanging land for Robert in Yorkshire, *RRAN* ii, no. 648. The presence of de Brus at court is suggested by his attestation of a royal confirmation, *ibid*, no. 680. Judith Green has suggested that de Brus's position at the English court would have become difficult in the early 1120s due to his close association with David at a time when the latter's intentions towards English Cumbria were not entirely trusted by King Henry; Green, 'Aristocratic Loyalties', 95.

Whatever the case in the north and west, the establishment of smaller landholdings in the southeastern region was instrumental in the creation of a sense of local community. Within each locality a level of relative geographical specificity provided the boundaries within which a number of communities could develop through a series of interlinked relationships which show some correspondence with the arguments put forward by Genicot and Reynolds. Of course direct parallels cannot be drawn with all the aspects of their general models due to a lack of clear and specific references, but a number of areas do lend themselves as examples of the sort of communal activities and group relationships which they ascribe to community development. The close proximity of the landholdings within each locality provided the most basic element in the creation of community ties in southeastern Scotland. The associations which were established through vicinity were extended and given depth through a number of developments which not only added to the web of relationships within each locality but extended outwards to form an aristocratic network throughout the south east.

Kinship ties and marriage alliances from within the southeastern region as they developed through the twelfth century provide an illustration of the essential localisation of society among the smaller landholders in the area. They also form one of the most important elements in the development of aristocratic networks south of the Forth. There is, however, little that can be inferred from the reign of David I due to a general paucity of evidence recording either marriage alliances or kinship ties. From the early period of settlement only the sibling relationship of Robert and Walter Corbet established at Maxton and

Yetholm respectively can be established with any certainty.⁶² No marriage ties emerge with any clarity out of the reign of David I apart from the marriage of Ralph Lovel to the native heiress Margaret of Hawick.⁶³ However, the situation does become clearer during the second half of the century and illustrates the importance of wider kin groups to the development of networks across the region as a whole.⁶⁴

On a related theme, links were brought to Scotland which had been established between individuals before the settlement. Of the sixteen major southeastern landholdings identified as having been established during the period 1124-1153, four were held by men who were also tenants of the king in his capacity as earl of Huntingdon.⁶⁵ A total of six of the men established in the region can also be identified as having attested for David before he became King of Scotland. Hugh de Moreville, Walter de Lindsey, Gervase Ridel, Alan de Percy, Robert Corbet and Robert de Brus had all been in attendance upon David prior to 1124 and witnessed his honorial charters.⁶⁶ If one also pieces together the attendance upon Henry I from his surviving charters, it is possible to see that Ralph Lovel also joins the group of those with an acquaintance with David prior to the period under discussion.⁶⁷ Just over 43% of the major landholders

⁶² See Barrow's discussion of the possible relationship between these two in Barrow, *The Kingdom of the Scots*, 34.

⁶³ See Barrow, *Anglo-Norman Era*, 184.

⁶⁴ These relationships will be discussed in detail in Chapter Two.

⁶⁵ These men were Gervase Ridel, Walter de Lindsey, Hugh de Moreville and Berengar Engaine.

⁶⁶ The charters including these men as witnesses are *ESC*, nos. 32, 35, 46; *RRS* i, nos. 1-2.

⁶⁷ Lovel was at court in London in 1121 with Robert de Brus and David himself, *RRAN* ii, nos. 1241, 1246.

identified as having been established in the south east during the reign of David I had in some capacity been acquainted with him and with each other as witnesses to his charters or as tenants in the earldom of Huntingdon.⁶⁸ Similar links existed among a number of the landholders established in the Haddington area of East Lothian through their association with the following which accompanied Ada de Warenne the King's daughter-in-law to Scotland.⁶⁹ Common experience, proximity and service were factors which linked many of the men whose families were to constitute the new aristocratic community in southeastern Scotland before the reality of settlement.

Relationships were also given an additional focus through the social consequences of religious patronage. Discussions of the monastic establishment in Scotland have concentrated upon its impact on the religious and intellectual life of the kingdom and there has not been, as yet, any comprehensive attempt to examine the effects of religious patronage on local identity and aristocratic networks.⁷⁰ However, the social role played by religious patronage has been recognised by a number of scholars from a wider Anglo-Norman and continental perspective. The motivations behind lay patronage have been examined by Christopher Harper-Bill, Sir James Holt, David Crouch and

⁶⁸ Geoffrey Barrow has made a similar point regarding a number of families who were linked by proximity through their continental origins and he has noted that the families of Soules, Carantilly and Valognes (members of which families were established in southern Scotland) were linked through proximity in Normandy, Barrow, *The Kingdom of the Scots*, 335-36.

⁶⁹ The discussion of the prior relationship of a number of East Lothian landholders through their association with Ada de Warenne is found in Barrow, *Anglo-Norman Era*.

⁷⁰ Discussions of the monastic settlement in terms of religious and intellectual life can be found in Barrow, *The Kingdom of the Scots*, 165-211; Duncan, *The Making of the Kingdom*, 144-45.

Christopher Holdsworth.⁷¹ The concerns of benefactors for their own spiritual welfare has been emphasised by Holdsworth whilst Holt has examined the relationship between a benefactor and a family foundation. Harper-Bill and Crouch have looked at the phenomenon of patronage as the expression of corporate solidarity within lordships.⁷² Crouch has suggested that patronage played an important role in the stabilisation of power within a lordship and he illustrates this with the example of Robert de Beaumont, the earl of Leicester in his honor of Breteuil in Normandy.⁷³ The social consequences of religious patronage have been explored further and in detail by Constance Bouchard and Emma Cownie.⁷⁴

Bouchard has suggested that in Burgundy reformed monasticism and noble secular society were interrelated and interdependent to the point that they were virtually one.⁷⁵ She has argued that during the twelfth century, the patronage of local monasteries was part of the fabric which held local society together. She has suggested that for the Burgundian aristocracy, benefactions to local monastic houses were an important aspect of noble life and the patronage of a

⁷¹ C. Harper-Bill, 'The Piety of the Anglo-Norman Knightly Class', *ANS* ii (1980), 63-77; D. Crouch, 'Strategies of Lordship in Angevin England and the Career of William Marshall', *Ideals and Practice of Medieval Knighthood*, ed. C. Harper-Bill and R. Harvey (Woodbridge, 1988), 1-25; C. Holdsworth, *The Piper and the Tune. Medieval Patrons and Monks* (Reading, 1991), 1-27; J.C. Holt, *Colonial England 1066-1215* (London, 1997).

⁷² Harper-Bill, 'Piety of the Anglo-Norman Knightly Class', 67.

⁷³ Crouch, *Beaumont Twins*, 112. See also, Crouch, 'Strategies', 8-9.

⁷⁴ Bouchard, *Sword, Mitre and Cloister*; E.F. Cownie, 'Gloucester Abbey, 1066-1135. An illustration of Religious Patronage in Anglo-Norman England', *England and Normandy in the Middle Ages*, ed. D.R. Bates and A. Curry (London and Rio Grande, 1994), 143-159; Cownie, *Religious Patronage*.

⁷⁵ Bouchard, *Sword, Mitre and Cloister*, 23-24.

given house became part of a family's tradition.⁷⁶ Whilst she has noted that the nobility could often be inconsistent in their patronage, she has also argued that the patrons of monastic reform did more than simply sustain an individual house; they established a close relationship with the community that would last through the generations, becoming part of a family's tradition and identity.⁷⁷ Emma Cownie has continued this theme and applied it in an English context. She has argued that a study of patterns of religious patronage provides considerable insight into the nature of social, political and familial linkages and the solidarity of political groupings, both locally and nationally.⁷⁸

Her work has focused upon the benefactions which were made to the Old English monasteries by the Anglo-Norman aristocracy and the role these benefactions played in the cementing of loyalties on new lordships. Much of Cownie's work concerns benefactions and relationships within lordships and as such is of limited application to southeastern Scotland due to the relative lack of honorial communities in this region.⁷⁹ However, she has made the important observation that locality played an important role in choice and that such can be indicative of a strengthening of local loyalties, a point with which the Scottish evidence shows a correspondence.⁸⁰ Whilst she has stated that the facts of patronage in England did not negate feelings of sentiment towards the old home land, she has argued that the relationships formed with houses in

⁷⁶ Bouchard, *Sword, Mitre and Cloister*, 138-48.

⁷⁷ *Ibid*, 148.

⁷⁸ Cownie, *Religious Patronage*, 9.

⁷⁹ Cownie's contention that patronage can be indicative of the strength of local lordship and honorial communities will be tested in Chapter four with an examination of for example, the diverse patronage within the Moreville lordship of Lauderdale.

⁸⁰ Cownie, *Religious Patronage*, 180. The Scottish evidence and its points of correspondence and divergence with wider scholarship will be discussed in detail in Chapters Three and Four.

England played an important role in the consolidation of settlement and the creation of local loyalties.⁸¹

Where the Scottish evidence shows a correspondence with the works outlined above, it can provide an important illustration of both the strength and nature of emerging social identities and local loyalties. The south east of Scotland was particularly rich in monastic communities. Established in the region from 1120 were six male royal abbeys and seven female priories. There were also important communities at Balantrodoch and Soutra and the dependent cell of Durham Cathedral at Coldingham. It will be argued that benefactions were a further strand in the complex web of aristocratic attachments and underpinned relationships which during the twelfth century were working together towards the establishment of an aristocracy in the south east with clear local and regional ties. The giving of gifts in general had social and political significance in medieval society and it is within this context that the Scottish evidence (throughout the whole period covered in this thesis 1124-1214) can serve as a guide to emerging community ties and local loyalties.⁸²

From an evidential standpoint it must be noted that the development of religious patronage in the southeastern region during the reign of David I was slow. Only six individuals can be positively identified as having made a benefaction to a monastic house established in the region during the reign of David I. Documentary loss may partly account for this low figure especially

⁸¹ Cownie, *Religious Patronage*, 200, 209-10.

⁸² For the social and political significance of gift giving see C. Levi-Strauss, *The Elementary Structures of Kinship* (English Translation London, 1969), 52-63; L.K. Little, *Religious Poverty and the Profit Economy in Medieval Europe* (London, 1978), 3-18; C.A. Gregory, *Gifts and Commodities* (London, 1982).

regarding Jedburgh Abbey, which was one of the earliest of David's foundations, where the almost complete loss of the abbey's muniments makes the issue of benefactions made to this house problematical. Also the houses were themselves almost as new as some of the landholdings established in the region and the majority of them had hardly become established communities when David died in 1153. Their attraction as repositories of patronage thus developed slowly and from quite humble beginnings. With only 37.5% of the new southeastern aristocracy having made a donation by 1153, there is little that can be positively inferred from this early period regarding the effects of patronage on loyalty and identity. However, in the second half of the twelfth century the situation was to develop rapidly with the southeastern monastic houses becoming the main focus for the patronage of the aristocracy established in the region.⁸³ The Scottish evidence from the reigns of Malcolm IV and William I reveals that within a distinct regional framework, benefactions show a marked local focus which also illustrates the importance of the (major male) southeastern houses as royal foundations. The social implications of this patronage will be examined in detail in subsequent chapters.

The subjects discussed in this chapter suggest that a number of elements, many of which had their origin in a relatively undeveloped stage of the Anglo-French settlement during the reign of David I, can correspond to the general models of society put forward by Reynolds and Genicot. This argument becomes particularly relevant during the second half of the twelfth century when the basic associations established during the reign of David I were developed further and given increasing depth during the reigns of his grandsons. The close geographical proximity of the southeastern landholdings within a number

⁸³ As will be seen in Chapters three and four this patronage included some significant grants from nobles non Scottish lands.

of localities and the relationships which developed within these areas helped to establish aristocratic networks which had their basis in locality but which also extended out across the region. As the century progressed, aristocratic associations would be continually underpinned by religious patronage and they would be given added depth through ongoing settlement and the eventual establishment of aristocratic lineages. Trends of service to the crown were either created or else were given depth through court attendance and the various relationships which individuals established with the crown, a factor which gave an additional regnal focus to an emerging regional aristocracy.⁸⁴ The examination of social ties accordingly adds an important study to the current body of Scottish historiography with its reliance upon vertical feudal relationships as the medium for explaining social developments.

The testing of the Scottish evidence against the arguments put forward by Reynolds and Genicot suggests that as the Anglo-French settlement developed through the twelfth century, a number of small local communities were established within a wider regional framework. The relationships within this framework were both complex and multi-layered and they accordingly provide a picture of Scottish society which can stand as a counterpoint to the old model provided by analysis founded in a belief in a strictly feudal world. In the final evaluation, it can be suggested that the reign of David I was certainly of seminal importance as argued by an older generation of scholars. However, the importance of the reign lay not in the complete Normanisation of the Scottish realm within feudal norms but in the origins of a new and relatively inclusive aristocracy which would be built and developed by his grandsons.

⁸⁴ The issues around court attendance and the vexed question of witnessing will be examined in detail in Chapter Five.

Geographical Proximity and Collective Identity.

This chapter will examine in detail the development of local landholding patterns in the south east of Scotland during the second half of the twelfth century. The analysis will test the contention in Chapter One that community ties can offer an alternative insight into social relations to the primacy of feudal ties which lies at the heart of current Scottish historiography.¹ Analysis will concentrate upon landholding patterns and collective activity. The detailed examination of landholding patterns will reveal how close geographical proximity created the boundaries within which relationships could develop. The society which emerges from such an examination is one of small but integrated local communities. Their internal unity emphasises the development of a number of associated relationships and highlights the importance of locality in the creation of aristocratic networks and communities. Within the issue of collective activity attention will be paid to local witnessing patterns as an indicator of how individuals could work together on issues of local importance. Witnessing patterns, especially of royal charters, can also be indicative of the influence of the crown on the process of local assimilation. The presence of the court at important royal centres such as Roxburgh provided a tangible focus for identity and the creation of both local and more regnal loyalties. It has been noted in Chapter One that under David I, a number of small and compact landholdings were created in the south east of Scotland producing a relatively integrated settlement in the region with close geographical ties. This pattern was further developed during the reigns of Malcolm IV and William I.

¹ See Chapter One, 17-19. For examples of an older approach to social relations see Ritchie, *The Normans in Scotland*, 181-84, 370-77; Barrow, *The Kingdom of the Scots*, 279-310; Duncan, *The Making of the Kingdom*, 140, 410; Stringer, *Earl David*, 3, 37, 51-57.

In Roxburghshire during the period 1153-1165, further landholdings were created under Malcolm IV, to add to the feus in existence from the reign of David I. By 1165 the number of landholdings recently established in the county had been increased to twelve, a number which was to increase further during the early decades of the reign of William I. There was considerable growth in the number of new landholders established in Roxburghshire during the period 1165-1192. By the end of this period, the number of relatively recent landholdings in the area had risen to twenty-five with the majority being held in a compact and integrated pattern in the central and eastern regions of the county.² A similar situation existed elsewhere in the south east. David I had created eight major new landholdings in Lothian. Under Malcolm IV this number increased to twenty-two and during the early decades of the reign of William I this figure increased further to thirty-four by *circa* 1190. When the landholdings of the whole southeastern region are added together at the end of the period in 1214, the number of identifiable feus established in the region provides a total sample figure of sixty-two. Included within this total figure are a number of more minor landholdings whose position as possible tenancies (whether explicitly or implicitly defined) needs to be considered in any discussion of developing social ties.

The majority of commentators have agreed that in the main, the individuals who found themselves in Scotland were accompanied by their families and retainers and that nearly all of them had some land or family in England on

² The nature of what were essentially small local geographical communities will be discussed in detail below.

which they could call to provide them with tenants.³ The general consensus is, therefore, that subinfeudation was a standard feature of the Anglo-French settlement from its earliest days although discussion of the subject has tended to be limited to the greater lordships. For example, Geoffrey Barrow has suggested that Hugh de Moreville, although not a great landowner in England, was able to draw upon his marital connections with the Beauchamp family in Bedfordshire to provide tenants for his new lands in Scotland. He notes that in Lauderdale, Hugh and his successors established tenancies for a number of individuals originating from their English lands including Henry and Alan de Saint-Clair, Richard Chamberlain, William fitz Alan, Peter de Haig and Vivian de Moulineaux.⁴ Similar action was taken by Walter fitz Alan who drew upon his family connections in Shropshire to build up his East Lothian feu at Innerwick.⁵ Here Walter created what was virtually a small community in itself when he established tenancies for Nicholas de Cotentin and his nephew Robert Hunaud, William de Hauceston, Roger fitz Glai and Robert de Kent. Robert Avenel, the lord of Eskdale (and great-uncle of Roger fitz Glai), also held a tenancy at Innerwick, but infeft his younger son Vincent with the property.⁶

There is insufficient evidence for a similar level of subinfeudation on the smaller landholdings to sustain a generalised discussion of social relationships in strictly feudal terms. In a number of specific examples the exact tenurial relationship

³ This is suggested in the contemporary work *Gesta Stephani*, ed. K.R. Potter and R.H.C. Davis (Oxford, 1976), 14, 29-31. For modern commentary on the subject see Barrow, *The Kingdom of the Scots*, 279-310; Duncan, *The Making of the Kingdom*, 133-215.

⁴ A list of de Moreville tenants and their connections can be found in Barrow, *Anglo-Norman Era*, 79-80.

⁵ The Shropshire connections of fitz Alan's tenants are discussed in *ibid*, 53-57.

⁶ The Innerwick tenants and their fitz Alan connection are found in *Kelso Liber*, nos. 249-52, 255; *Melrose Liber*, nos. 60-62; *Paisley Registrum*, no. 116A.

between individuals is unclear and there are few explicit references to the exercise of lordship and dependence. However a number of possible client relationships are implicit in the available evidence and argue against a simple wholesale rejection of tenurial links on the smaller estates. One such example exists on the feu of the Corbet family at Yetholm in south east Roxburghshire. Although the relationship between the Corbet family and their possible tenants Walter de Windsor, Ralph le Nain and Ralph of Yetholm is not easily defined from the available evidence, it is possible that within the boundaries of the Corbet feu there existed some form of client-superior relationship.⁷ Certainly both Windsor and Ralph of Yetholm appear to have followed the Corbets in making grants to Melrose Abbey and Manuel Priory respectively.⁸ Although only circumstantial, the evidence of these transactions, in particular the grants to Manuel Priory, do indicate the possibility that tenurial links with a superior did exist in the Yetholm area despite the absence of explicit documentary references to the exercise of lordship.⁹

We can be more certain of the situation four miles to the south of Yetholm among the group of individuals holding land within the modern parish of Mow.¹⁰ The village had been granted by Malcolm IV to Walter fitz Alan *circa*

⁷ Barrow discusses the possible tenurial relationship between the Yetholm landholders in Barrow, *Anglo-Norman Era*, 134, 188-89.

⁸ The Corbet family's grants of the teinds of the mill at Yetholm to Manuel Priory and land at Clifton to Melrose Abbey are detailed in *RRS* ii, no. 75; *Melrose Liber*, nos. 113-14. Ralph of Yetholm and his wife Rawenild granted a house in Roxburgh to Manuel Priory, *RRS* ii, no. 75. Walter de Windsor granted land at Clifton to Melrose Abbey, *Melrose Liber*, no. 116.

⁹ The Manuel Priory grant made by Ralph of Yetholm is hard to explain without some form of meaningful relationship with the Corbet family.

¹⁰ These individuals were Anselm de Mow, Simon de Malverer, Gilbert Avenel and William de Mow. See, *Kelso Liber*, no. 116.

1161 and it is probable that the steward held the lordship of the area.¹¹ However, the paucity of explicit or supporting documentary references insure that the exercise of fitz Alan lordship in the area can only be conjectured from evidence which is at best circumstantial.¹² The only explicit references to the exercise of lordship in the area as a whole come from the de Ryedale feu at Whitton held to the west of Mow across the valley of the Kale Water. During the second half of the reign of William I, Patrick de Ryedale's lordship appears to have included tenancies for Geoffrey fitz Waldef, Robert Burnold, Geoffrey Cocus and Anselm de Mow.¹³ All of the donations made by these four individuals at Whitton indicate the superior lordship of Ansektil de Ryedale and his son Patrick whose confirmation charters are framed in language suggestive of the client status of the donors.¹⁴ However, with the exception of Whitton there is in reality, little that can be positively concluded with reference to relationships using a framework of analysis constructed simply from vassalage and dependence. Yet the Whitton evidence does warn against the wholesale dismissal of tenurial links and superior lordship. It is therefore not the existence of tenurial relationships that should be in question, but the significance of such ties as assumed in the older secondary literature.

There currently exists a body of scholarship which has suggested that the issues surrounding tenure were extremely complex and could include a

¹¹ *RRS i*, no. 183.

¹² See notes in *OPS i*, 417-19.

¹³ The minor landholders on the Whitton feu are detailed in *Melrose Liber*, nos. 134-35, 152-61.

¹⁴ See *ibid*, nos. 152-58, 160-61.

number of attitudes and practices.¹⁵ Whilst these arguments have been discussed in detail in Chapter One it is worth emphasising again that, without downplaying the social role of lordship, a number of authors have questioned the primacy in social relations of a truly feudal world based primarily upon personal relationships and dependence.¹⁶ Emphasis can accordingly be placed upon a plurality of social ties. Certainly the Scottish evidence does indicate the existence of a number of co-existing attitudes and practices. Whilst the argument for the removal of the centrality of vassalage is undoubtedly deductive, it does allow for the construction of a new framework of analysis which can illuminate the local and communal ties of individuals outside of the feudal terms of reference which formed the basis of an older analytical approach to the subject.

The following analysis will focus upon the second half of the twelfth century during the reigns of Malcolm IV and William I and will examine in detail the development of the pattern of landholdings established during the reign of David I. The evidence in this chapter indicates strongly that the various local communities which grew out of settlement in southeastern Scotland were rooted in geography. This can be illustrated by an examination of the landholding patterns of the individuals established in Roxburghshire before *circa* 1190. The landholdings established in the county can be placed in three distinct localities. Within each locality, the various landholdings were marked by relatively close geographical proximity. Relative geographical specificity accordingly provided the most basic association between individuals and

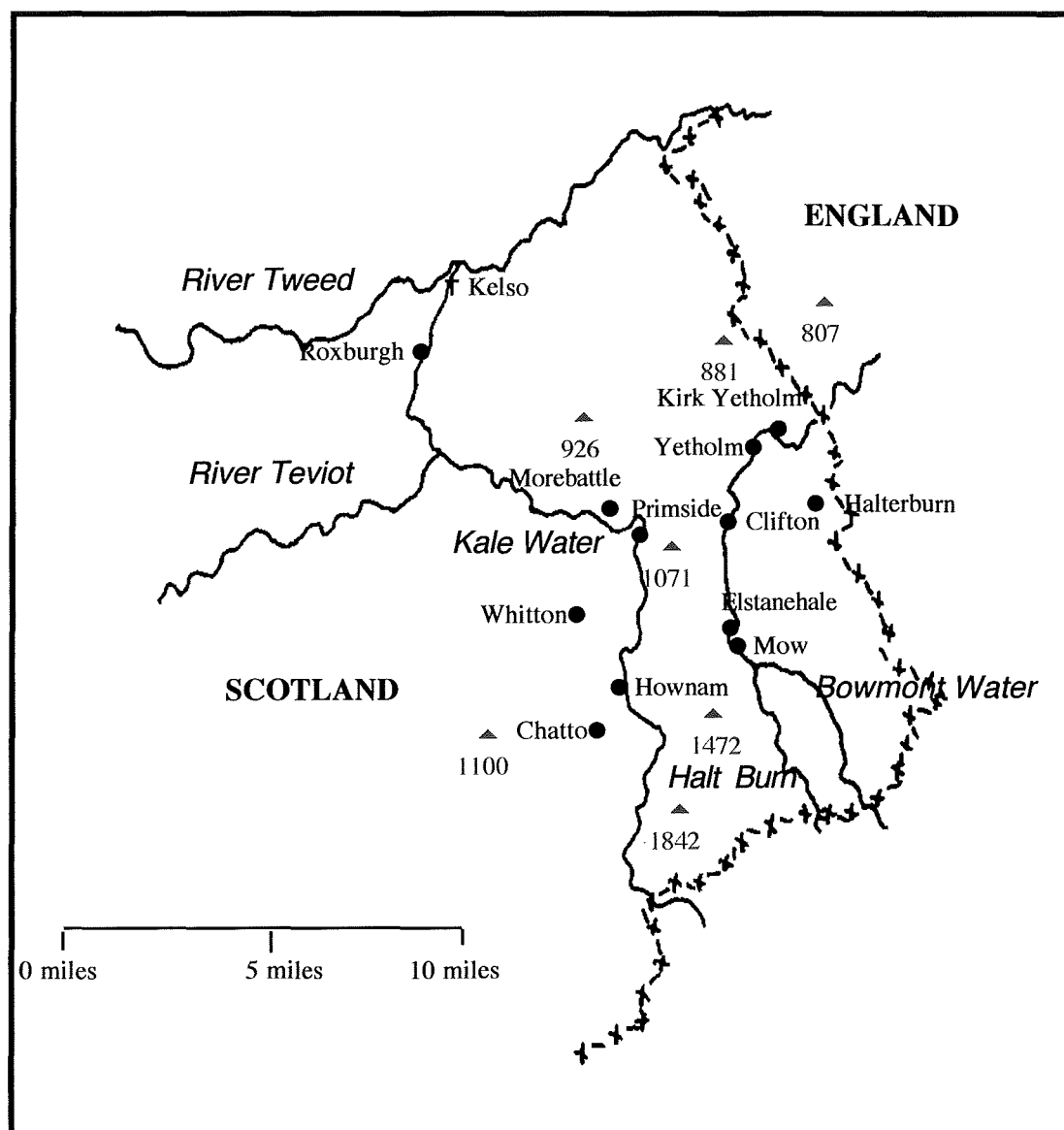
¹⁵ See Crouch, *Beaumont Twins*, 102-04, 213-15; Crouch, 'Bastard Feudalism Revised', 165-177; Hudson, 'Anglo-Norman Land Law', 198-222; Reynolds, *Fiefs and Vassals*, chs 1-3; Dalton, *Conquest, Anarchy and Lordship*, 113-148, 257-97.

¹⁶ For example see Hudson, 'Anglo-Norman Land Law', 210-14, 222.

provided the boundaries within which a number of ties and relationships could develop.

In the east of the county close to the modern border with England, a small community developed along the parallel river valleys of the Bowmont and Kale Waters. As represented in Map One, the settlement in the south east of the county was established among the northern fringes of the The Cheviot Hills. The villages in this area lay along relatively flat river valleys with steeply rising hills forming a natural barrier to the north east and the west of the settlement. The topography of the area makes for relative isolation from the settled areas immediately to the north along the flood plains of the River Tweed and the more gently rising land in the Jed Valley. Although access to the area is possible through a number of natural breaks in the landscape (especially west of Whitton into the Jed Valley and north west of Yetholm along the line of the modern B6352 road to Kelso), the community established in the hills is situated in relative isolation being placed behind heights averaging eight hundred feet. The topography makes for relatively clear boundaries which offer some geographical specificity to the developing community.

Map One: Yetholm and its environs



In the area of Yetholm, a distance of less than four miles covered the feus of Yetholm, Kirk Yetholm, Clifton, and Primside. This placed the families of Corbet, le Nain, Windsor and Ridel in extremely close juxtaposition.¹⁷ Three miles down the valley of the Bowmont Water from Clifton lay the feu of the native landholder Uhtred and his son Simon at Elstanehale.¹⁸ A further mile down the river lay the village of Mow and the various feus which made up the landholdings in the immediate environs of the village. Accordingly, the feus of Anselm de Mow, Simon de Malverer, Gilbert Avenel and William de Mow were in extremely close proximity to Uhtred at Elstanehale and they were also situated only four miles from Clifton and five and a half miles from Yetholm.

A similar pattern of landholdings was duplicated along the parallel valley of the Kale Water where Walter Corbet's property at Morebattle, situated four and a half miles from his *caput* at Yetholm lay at the northern end of the group. Two and a half miles south west of Morebattle lay the *caput* of the de Ryedale family at Whitton with attendant property at Chatto lying a further four miles to the south. Included within the boundaries of the de Ryedale feu were the tenant properties of Geoffrey fitz Waldef and Robert de Burnold at Renniaston, held three miles south west of Whitton, and the property of Geoffrey Cocus at Hare Law situated one mile to the north west of Chatto. On the east bank of the Kale Water, two and a half miles south east of Whitton lay the feu of the native landholder John son of Orm who also held property at Hownam Grange situated one and half miles east of Whitton. The family also held the area's most southerly property at Raeshaw, four miles down the Kale Water from

¹⁷ Geoffrey Ridel's feu at Primside is identified through his grant of two bovates of land to Melrose Abbey and the grant of a toft and pasture for twenty-four cows to Kelso Abbey, *Melrose Liber*, no. 147; *Kelso Liber*, nos. 367-68.

¹⁸ Father and son are both found in *Melrose Liber*, no. 119.

Hownam.¹⁹ Accordingly, five families were virtual neighbours along the valley of the Kale Water and they were all in close geographical proximity to the landholdings situated to the east down the valley of the Bowmont Water. The pattern of landholding in the area thus witnessed fifteen families being established in a relatively close knit settlement in the east of the modern county.

Before *circa* 1190 a number of feus were established along a seventeen and a half mile stretch of the Tweed Valley as detailed in Map Two. The villages which made up the settlement in this area were established along the relatively flat and low lying flood plains of the Tweed. The natural boundaries of this area were created by the more steeply rising land immediately north and south of the line of the river. At the eastern end of the line close to the modern English border Bernard fitz Brian held his feu at Hadden with attendant property at Redden held within a radius of three miles.²⁰ Property was also held at the adjacent village of Sprouston by Ralph de Ver which placed a second small feu in the eastern end of the area.²¹ A little under five miles west of Sprouston, the Colville family held a landholding at Heiton. The Colville property included the village of Oxnam situated approximately nine and a half miles to the south in the Jed Valley.²²

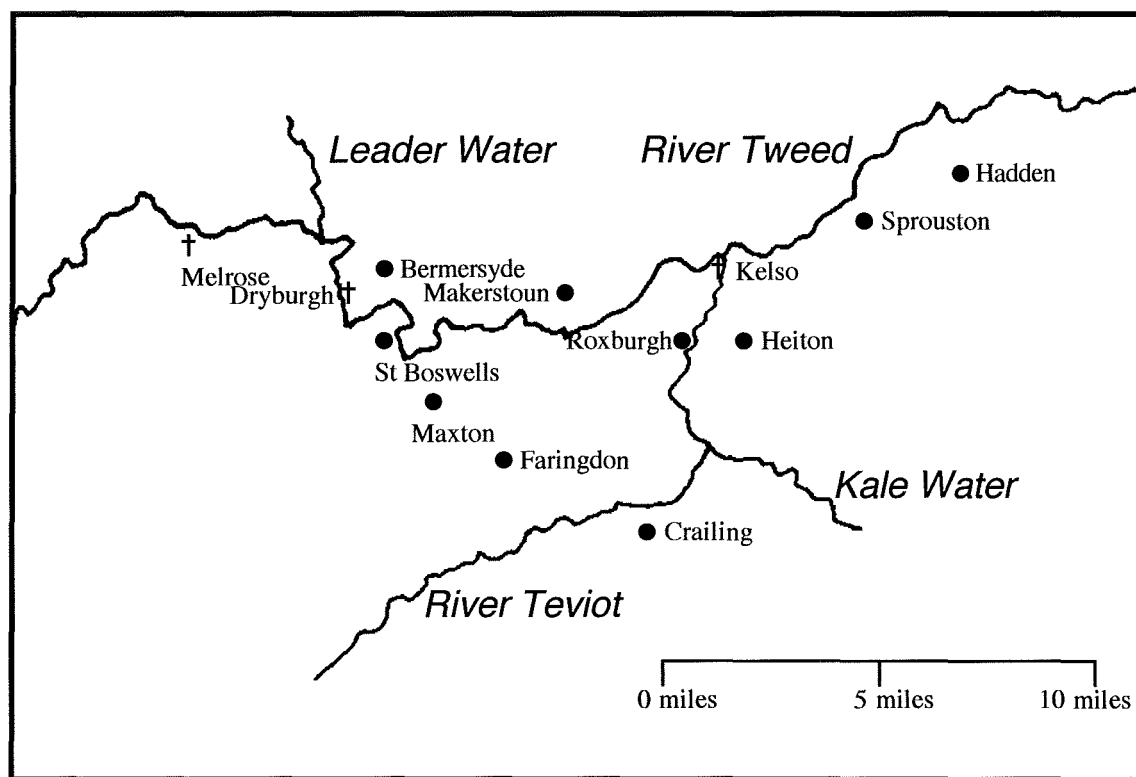
¹⁹ The property held by John son of Orm and his son William is detailed in *Melrose Liber*, nos. 127, 129-31; *RRS* ii, no. 72.

²⁰ *RRS* ii, no. 101.

²¹ *Ibid*, no. 306.

²² The Colvilles had held Heiton and Oxnam from the time of Malcolm IV after the childless death of Henry de Percy. See Barrow, *Anglo-Norman Era*, 177; *Dryburgh Liber*, no. 225.

Map Two: The Tweed Valley



Berengar Engaine held his property at Crailing a little over four miles to the south west of Heiton whilst on the north bank of the Tweed three miles from Heiton lay the property of the native landholder Liulf son of Maccus. To the west of Heiton, four and a half miles separated the Colville lordship from the adjacent landholdings of Roger Burnard and Simon de Farburne at Fairnington which also lay three and a half miles to the north west of Crailing.²³ A further two miles to the north west of Fairnington lay the feu of Robert de Berkely at Maxton which by 1190 had passed by marriage to the family of Hugh de Normanville.²⁴ One and a half miles along the river from Maxton lay the feu of the de Londres family at St Boswells whilst a little under two miles across the Tweed, Peter de Haig held the final landholding in the area at Bermersyde.²⁵ Of course the Haig family were Lauderdale tenants but their close juxtaposition to the Tweeddale group makes their inclusion in this analysis tenable on the grounds of proximity and their inclusion in local witnessing patterns places them firmly within the local nexus.²⁶ The ten landholdings established along the Tweed Valley constituted another relatively close knit settlement of two constituent parts characterised, like the settlement in the south east of the county, by the close geographical proximity of the feus in each group.

An examination of the landholding patterns in the area around Hawick in the

²³ The Fairnington landholdings are detailed in *Melrose Liber*, no. 86.

²⁴ Hugh de Normanville had married Alina, the daughter and heir of Robert de Berkely at an unspecified date. They are found holding land at Maxton in *ibid*, no. 92.

²⁵ Peter de Haig is found at Bermersyde on the very fringes of Lauderdale as detailed in *Dryburgh Liber*, no. 133. Just to the east of Bermersyde at Smailholm, a small feu was held by David Olifard who otherwise was a major Lanarkshire landholder at Bothwell. For Olifard at Smailholm see *ibid*, nos. 155-56.

²⁶ See sections on witnessing below.

central region of the county also reveals similar characteristics to the settlements in the south east and along the valley of the Tweed. The main features of this settlement are represented in Map Three. As at Yetholm, the settlement around Hawick lay in relatively hilly country on the eastern fringes of the Southern Uplands. North of Hawick lay the expanse of the Royal Selkirk Forest and the mountains of the modern Ettrick Forest and although the region was open to access, especially north east to Kelso along the line of the River Teviot, the settlements in the area were separated from the Jed Valley to the east by hills of over one thousand feet. Again the topography of the area made for natural barriers and a degree of relative isolation from other settled areas.

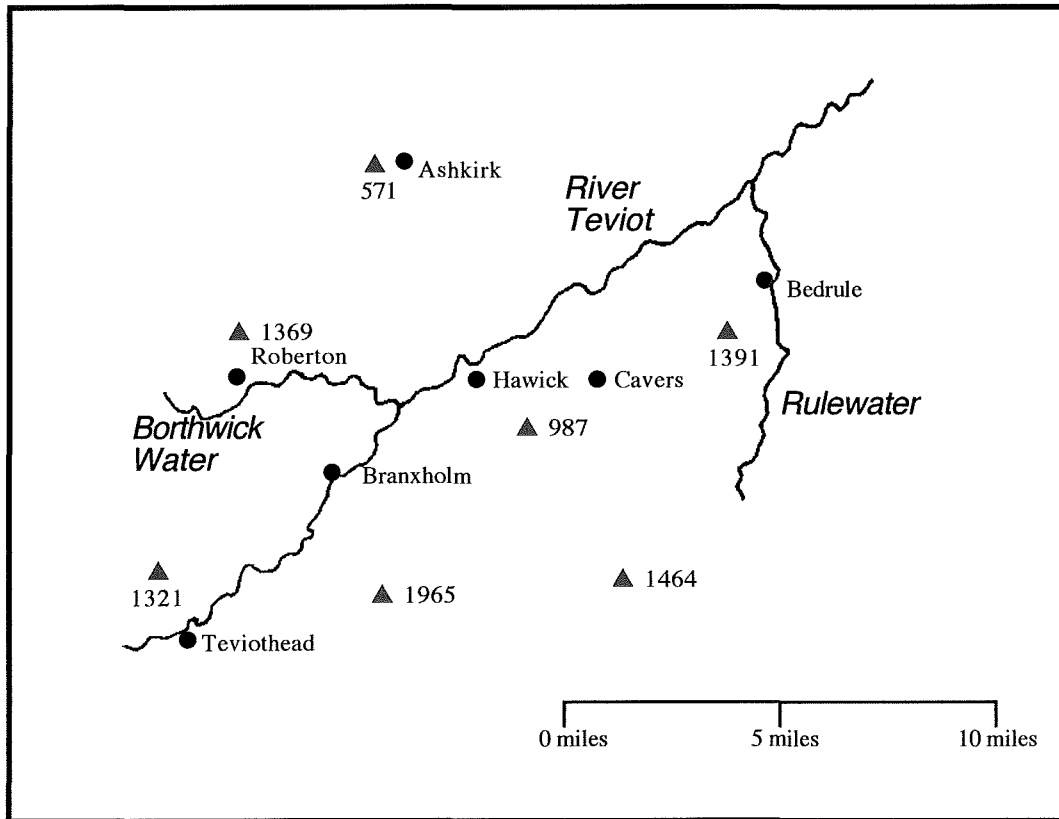
At Hawick, the Lovel family held three properties within a radius of six miles, their *caput* being at Hawick with attendant properties at Robertson on the Borthwick Water and Branxholm on the banks of the River Teviot.²⁷ Two and a quarter miles to the east of Hawick, Philip de Valognes held one of his properties at Cavers.²⁸ A little over four miles to the north east of Cavers lay Bedrule, one of the properties held in the county by the Comyn family. A radius of just over eleven miles covered the remaining properties in the area including the property of Alexander de Synton at Ashkirk held four and a half miles to the north of Hawick and the property of Philip de Valognes at Teviothead, seven miles south of Hawick along the Teviot Valley.²⁹

²⁷ See Chapter One, 22.

²⁸ See *St Andrews Cart*, no. 261.

²⁹ For de Synton at Ashkirk see *RRS* ii, no. 581A. For Valognes at Teviothead see *Melrose Liber*, no. 150.

Map Three: Hawick and its environs.

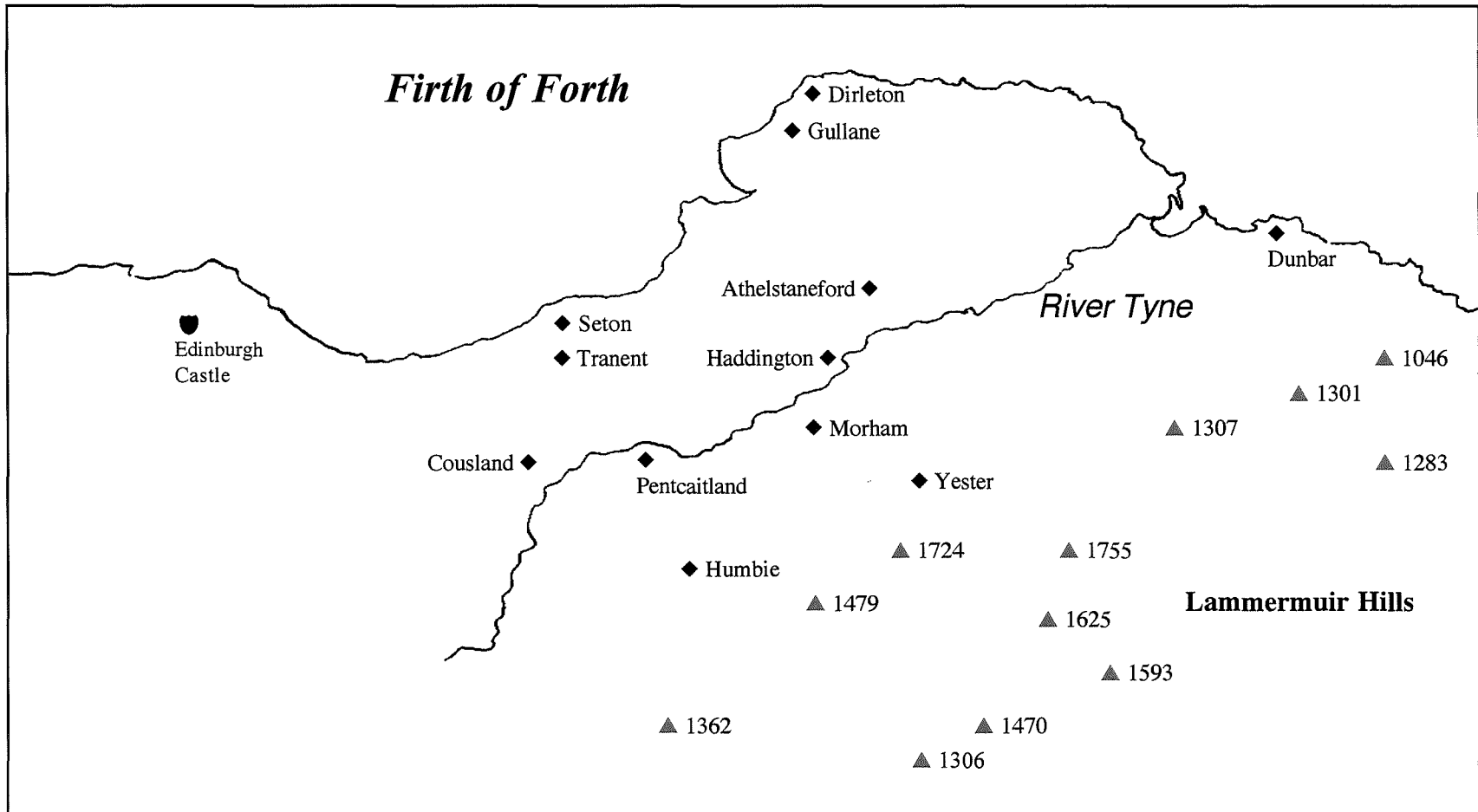


The picture which emerges from Roxburghshire as a whole is one of a number of small geographical communities which become established by *circa* 1190, each of which was characterised by the close proximity of its constituent landholdings. These local landholding groups made up the principal aristocratic presence in the county, placing a layer of localisation within emerging aristocratic networks and relationships. The identification of these local groups can illuminate Léopold Genicot's general point that any regional community was comprised of local groups which owed their emergence to geographical considerations. Within these groups external relationships inserted people into a firm local framework, drawing or inviting precise boundaries.³⁰

The landholdings established in east and central Lothian followed a similar pattern to those examined in Roxburghshire. The area around Haddington in East Lothian can provide a representative sample of the situation elsewhere in the county from which it is possible to suggest the extent to which the small landholdings in Lothian correspond to the pattern established in Roxburghshire. The main features of the Haddington settlement are represented in Map Four. The settlement was situated on relatively low lying ground bordered to the north by the Firth of Forth with the Lammermuir Hills averaging over a thousand feet forming a natural barrier to the south. The area was open to both east and west, with the lands of the earldom of Dunbar lying east along the North Sea coast.

³⁰ See discussion in Genicot, *Rural Communities*, 23-26.

Map Four: The Haddington Area



To the east of Haddington, approximately five miles from the town, Oliver fitz Kyle held his property at Hailes near Bearford.³¹ Three and a half miles to his south west lay the feu of John de Malherbe at Morham.³² Alexander de St Martin held his feu at Athelstaneford, three and a half miles to the north west of Hale and four miles to the north of Morham.³³ Completing the group of landholdings to the south and east of Haddington, Hugh and William Giffard held their lordship of Yester, three miles south east of Morham, four miles south of Haddington.³⁴ On the western side of Haddington at a distance of seven miles, lay the feu of Robert de Quincy and his son Saer at Tranent, including the minor landholdings of Pain de Hedleia at Penton and Milo Cornet at Myles.³⁵ Two miles north of Tranent lay the feu of Alexander de Seton on the southern coast of the Firth of Forth.

To the south east of Tranent, Everard de Pencaitland held his landholding at Pencaitland, whilst completing this group, Ralph de Graham held a feu at Cousland three miles west of Pencaitland.³⁶ Finally, John de Vaux and his son William held their feu at Gullane and Dirleton, whilst Simon Fraser completes the group with his feu at Humble.³⁷ The Gullane feu was situated six miles north of Haddington and four miles north of Athelstaneford, whilst Humble lay seven and a half miles to the south of Haddington, six miles from Yester and

³¹ *Newbattle Registrum*, no. 73.

³² *Ibid*, no. 86.

³³ *ESC*, no. 186.

³⁴ *RRS* ii, no. 85.

³⁵ The de Quincy landholdings are detailed in *Newbattle Registrum*, nos. 64-66.

³⁶ The Pencaitland feu is *RRS* ii, no. 299; *Kelso Liber*, no. 370. The feu held by Ralph de Graham is detailed in *RRS* ii, no. 125.

³⁷ See *Dryburgh Liber*, nos. 23, 26-27; *Kelso Liber*, nos. 85, 98; *RRS* ii, nos. 239A, 367.

four miles south of Pencaitland.

In the Haddington area within an approximate radius of ten miles, there was situated twelve feus in two distinct groups on the western and eastern sides of the town. Within these landholding groups, no feu was held more than six miles from any other. The close geographical juxtaposition of individual lordships within specific areas mirrors closely the situation found in Roxburghshire. The evidence from an examination of the landholding patterns of both these counties supports the contention that the southeastern settlement was largely developed through landholding groups which *prima facie* were primarily localised in character. Vicinity was therefore a powerful factor in the creation of local ties through which the settlement of individuals within a number of geographical communities took on a form of social unity.

However, all such observations must be tested against the wider landholding patterns of the individuals and families concerned. Not all of the individuals settled in a given area were of equal status. A number of individuals from across the region held land elsewhere in Scotland and several important families also held land across the border in England. There was clearly a hierarchy within the landholding classes and the wider tenorial links or high standing of some families placed them on a higher social and economic plane than those with more localised aspirations. A number of examples can be drawn from Roxburghshire which can help to illustrate this point. The principal lands of Philip de Valognes were in Fife which placed him on a different footing to his neighbours near Hawick. From the community established along the Tweed Valley, the Colville family also held land at Carsphairn within the

lordship of Dalmellington thirty miles north west of Dumfries.³⁸ Their near neighbours the Farburne family also held land outside of Roxburghshire at Rosyth and Dunduff in Fife and at Masterton in Newbattle parish East Lothian.³⁹ In the south east of the county the Corbet family from Yetholm, held a number of estates across the border in Northumberland whilst their neighbours at Kirk Yetholm, the le Nain family also held estates at Broughton in Peeblesshire.⁴⁰ These few examples could be multiplied across the south east as a whole and include a number of the greater landholders whose landed interests were primarily held elsewhere. Thus, for example, the powerful families of fitz Alan and de Moreville both held land in Roxburghshire at Mow, Roxburgh and St Boswells.⁴¹ Other individuals and families holding land within the sample areas included the Somervilles, the Berkelys, the Dunbars and the Vesci family from Alnwick in Northumberland who held land at Sprouston in Tweeddale and at Mow in the Cheviots south of Yetholm.⁴²

Yet the realities of wider landholding patterns do not of themselves fragment the importance of locality. As Keith Stringer has noted with reference to the Garrioch in North east Scotland, individuals could have a number of local identities and could function as locals within a number of areas.⁴³ Furthermore, the interaction between local society and wider elite groups was facilitated through the landholding patterns of the individuals concerned. Families with

³⁸ See Barrow, *Anglo-Norman Era*, 177.

³⁹ *RRS i*, nos. 256, 294; *RRS ii*, no. 9.

⁴⁰ See *A History of Northumberland xi*, The Northumberland County History Committee, 1922, 128-30; Barrow, *Anglo-Norman Era*, 188.

⁴¹ See *ESC*, nos. 211, 216, 238, 240; *RRS i*, no. 183.

⁴² For a number of examples see *RRS i*, no. 299; *RRS ii*, no. 171.

⁴³ Stringer, *Earl David*, 95.

more dispersed property such as Valognes or Quincy for example, would have been required to move around by the very nature of their holdings even where they had the means to manage such estates remotely. This would have ensured that such individuals would have been required to operate within a number of local settings. In short, the ability to function within a number of local frameworks helped to blur the lines of demarcation between local society and the wider aristocratic community by forming a link between the purely local and wider elite groups. Accordingly, even allowing for the wider landholding patterns of a number of individuals, the evidence of settlement provides a vivid illustration of how an aristocracy could become established in any given area and highlights the importance of locality to the development of society within the lower ranks of the aristocracy. Within this predominantly local framework, society can be seen to have functioned through the interaction of a number of groups creating a variety of different networks within a given geographical location.

Family ties were an important element in the development of local power structures and a number of kinship groups contributed to the creation of local networks during the second half of the twelfth century. Unfortunately, kinship ties are rarely explicitly expressed in the available evidence and references to them and their dynamic significance have to be teased out from a number of sources. During the reign of David I, the Corbet brothers Walter and Robert were established at Yetholm and Maxton respectively although Robert appears to have died without issue and his feu passed to Robert de Berkely early in the reign of William I.⁴⁴ Robert de Londres, lord of St Boswells in Tweeddale, was the step cousin of Henry Lovel, the lord of Hawick and he was also the cousin

⁴⁴ See above, 44.

of his Tweeddale neighbour Robert de Berkely, lord of Maxton.⁴⁵ At Innerwick in East Lothian, Roger fitz Glai was the cousin of Vincent Avenel, whilst Robert Hunand was the nephew of Nicolas de Cotentin.⁴⁶ In the Haddington area a family relationship is possible but unspecified between Adam Fraser, lord of Hale and Simon Fraser, lord of Keith Humble.⁴⁷ Finally, at Melville in Mid Lothian, Richard de Melville who held the Melville feu was the nephew of Geoffrey II de Melville who held land at Granton in the modern Melville parish.⁴⁸ With the exception of the step cousins Londres and Lovel, all of these ties were between families established in the same localities.

Investigation of the marital ties of individuals provides further insight into the influence of locality on the development of identities and aristocratic networks. In particular, the available evidence is suggestive of the extent to which family groups formed a major constituent part of emerging aristocratic communities.⁴⁹ Although it must be noted that from an evidential standpoint the number of known examples is limited, some of the cases which can be identified shed some important light on the workings of the local community and the way in which families interacted with each other. Evidence is available for nineteen marriages contracted within the southeastern region during the reigns of Malcolm IV and William I. Twelve of these marriages were between members

⁴⁵ See Barrow, *Anglo-Norman Era*, 174, 183.

⁴⁶ For the relationship between fitz Glai and Avenel see *Melrose liber*, no. 60. For Hunand and Cotentin see *Kelso Liber*, no. 249.

⁴⁷ Both of the Frasers are detailed in *Newbattle Registrum*, nos. 73-78.

⁴⁸ *RRS ii*, no. 266.

⁴⁹ The Scottish evidence corresponds to the findings of Percy-Hedly who noted that the twelfth century Northumbrian aristocracy were linked together through a web of marriage alliances which rarely extended out from within their own region, W. Percy-Headly, *Northumberland Families* 2 vols (Newcastle-upon-Tyne, 1968-70).

of families established in the same region. This figure can be broken down further into more local groupings. Five of the examples were contracted between families established in Roxburghshire, five of them pertain to Lothian and two examples were contracted between families in two different counties. As with the landholding patterns identified above, the examples of marriage from Roxburghshire and Lothian illustrate the essential localisation of society among the smaller landholders in the south east of Scotland during the twelfth century. Furthermore the known marriages tend to reflect the levels of hierarchy within the landholding class. Whilst there were always exceptions, those with more local aspirations tended to marry within their own locality and into families of a similar social standing whilst those with wider tenorial links seem to have contracted marriages from a wider catchment area. This important point can help to illustrate the different pattern of behaviour of more regnal figures (such as Quincy, Vieuxpont or Moreville) compared to the predominantly local landholding nobility whose horizons were in general more limited.

In the south east of Roxburghshire early in the reign of William I, Matilda Corbet the daughter of Walter I Corbet, lord of Yetholm and Morebattle married William de Ryedale, a younger son of her father's near neighbour Patrick de Ryedale, lord of Whitton.⁵⁰ At Mow to the south of Yetholm along the valley of the Bowmont Water, Simon de Malverer, a minor landholder in the area made an advantageous marriage when he married Cecilia, the daughter

⁵⁰ *Melrose Liber*, no. 160.

of Eschina de Londres and her second husband Henry de Cormunnock.⁵¹ At an early date in the reign of Malcolm IV, Thomas de Londres whose feu of St Boswells lay along the Tweed Valley married Margaret Lovel, the widow of Ralph Lovel, lord of Hawick whose feu lay some eleven miles west of St Boswells.⁵² Two Anglo-Frenchmen married into the native aristocracy. Robert de Berkely, the younger brother of King William's chamberlain Walter married Cecila, the daughter of the Anglian lord of Maxton.⁵³ Finally, at Yetholm, the wife of Ralph of Yetholm bore the Anglian name Regnaild who held property at Yetholm and Roxburgh.⁵⁴

In Lothian, the available evidence reveals a similar pattern of marriages contracted between individuals from feus in relatively close proximity. The nearby landholdings of Athelstaneford and Morham were given a further connection during the second half of the reign of William I when Thomas de Morham married Ella, the daughter and co-heiress of Alexander de St Martin.⁵⁵ Geoffrey I de Melville, the lord of Liberton and Melville married Matilda de Malherbe (during the reign of Malcolm IV) and whilst her exact relationship to the Malherbe lords of Morham in East Lothian is unknown, it is possible that she was either Thomas de Morham's sister or aunt.⁵⁶ Their son

⁵¹ Eschina de Londres was the widow of Walter fitz Alan and held land at Mow in right of her first husband. Simon de Malverer is accordingly somewhat unusual in that he clearly married above his station, the daughter of one of the more important figures in Roxburghshire and if Barrow is correct in suggesting that Eschina was a sister of Robert de Londres he would also have gained a connection with the lords of St Boswells. See *Kelso Liber*, no. 150; Barrow, *Anglo-Norman Era*, 184.

⁵² Barrow, *Anglo-Norman Era*, 183.

⁵³ *RRS* ii, no. 342.

⁵⁴ *Ibid*, no. 75 and notes.

⁵⁵ *Newbattle Registrum*, no. 102.

⁵⁶ See *RRS* ii, no. 266.

Richard de Melville married Margaret, the daughter of his Midlothian neighbour Reginald Prat which brought him land at Muiravonside.⁵⁷ A number of marriages were contracted within the East Lothian community at Innerwick. Roland de Innerwick married a daughter of Nicholas de Cotentin at an uncertain date, whilst John de Montgomery married Helen, the daughter and heir of Robert de Kent.⁵⁸ Finally a marriage alliance was contracted between two of the more important families in the county when Hugh Giffard, the lord of Yester in East Lothian, married the daughter of Herbert fitz Bertolf late in the reign of Malcolm IV gaining land on his father-in-law's feu at Auldcathie and Borrowstoun in Kinneil, West Lothian.⁵⁹

The majority of the marriages outlined above, 70% of known examples, were contracted within the same geographical communities and involved families of a similar social standing. The remaining 30% were also marked by a degree of relative geographical proximity within their respective counties. However, it is necessary to differentiate the Innerwick marriages from the other examples. The two Innerwick marriages are the only known examples of marriage ties between individuals who can be identified as tenant landholders and as such they may reflect more the integrity of the fitz Alan lordship than any intrinsic community ties. The families in question had been established in the Innerwick area by Walter fitz Alan and their marriages may have followed a fitz Alan actuated pattern of behaviour. However, even if subject to a degree of seignorial orchestration, the Innerwick marriages did add an extra layer of ties

⁵⁷ *RRS ii*, no. 320.

⁵⁸ Roland's marital connection is found in *Kelso Liber*, nos. 250, 256. The marriage of John de Montgomery is found *ibid*, no. 251.

⁵⁹ *RRS ii*, no. 48. Hugh Giffard was to become a major landholder north of the Forth during the reign of William I whilst Herbert fitz Bertolf had been David I chamberlain giving to both men a higher status than some of their neighbours.

between a number of families who had been previously associated with each other as retainers of the fitz Alan family in Shropshire. The two final southeastern marriages were contracted between families in two different counties. William de Vieuxpont, the lord of Horndean in Berwickshire, made a very advantageous marriage when he married Matilda, the sister of the Scottish constable Richard de Moreville, the lord of Lauderdale.⁶⁰ Lastly, Ada de Malherbe, the widow of John de Malherbe, the lord of Morham in East Lothian, married as her second husband William de Colville, the lord of Heiton and Oxnam in Roxburghshire.⁶¹ An examination of the available evidence for specifically southeastern marriages reveals that 19% of the total sample of southeastern landholders married either within their own immediate locality or married individuals from the same county.

Statistically this figure is not very impressive. However, the examples outlined above make up 63% of the available evidence with the main focus being upon marriages contracted within the local community. It is this latter point which is significant, for while the evidence simply is not available to draw any definitive conclusions, it is possible to suggest that the families who constituted local society looked to other local and county families for their marital connections. As such the available evidence is indicative of the extent to which family groups formed an important constituent part of local society. Accordingly, only seven landholding families are known to have gained marital connections outside of the region. However, these seven marriages are important as they provide an illustration of the interaction between local society and the wider

⁶⁰ William's marriage which was particularly advantageous in that it brought him the de Moreville lordship of Maulds Meaburn near Appleby in Westmorland is detailed in Barrow, *Anglo-Norman Era*, 74.

⁶¹ *Newbattle Registrum*, no. 99.

aristocratic community. Furthermore they can also illustrate the different pattern of behaviour of those individuals and families with wider tenorial links or a higher social and economic standing.

Walter fitz Alan married Eschina de Londres *circa* 1157 at the request of King Malcolm IV which brought the Roxburghshire de Londres family into a martial connection with the steward of Scotland and connections with the wider ranks of the new Scottish aristocracy.⁶² Early in the reign of William I, Robert de Quincy married (almost certainly as his second wife) Orablis, the daughter of Ness, the native lord of Leuchars and Lathrisk in Fife which brought him a number of lands in Fife and central Scotland.⁶³ Towards the close of the reign of William I *circa* 1205, Philip de Melville married Eva, the daughter of Walter fitz Sibbald, which brought the Lothian Melville family connections and land in the Mearns.⁶⁴ Finally, William Wallace, the lord of Tarbolton in Ayrshire, married Isabel, the daughter of Robert fitz Fulbert who held land at Stenton in East Lothian.⁶⁵ Both of these families were minor landholders on feus held by the fitz Alan family and as such (as with the marriages contracted within the community at Innerwick) they may have been subject to a degree of seignorial orchestration.

Three members of the southeastern aristocracy made advantageous marriages in England. Walter I Corbet married the daughter of the Northumbrian

⁶² *Kelso Liber*, no. 146; Barrow, *Anglo-Norman Era*, 65.

⁶³ Barrow, *Anglo-Norman Era*, 22-23.

⁶⁴ *Arbroath Liber*, no. 93.

⁶⁵ *Melrose Liber*, no. 64.

Constable Gilbert de Umfraville.⁶⁶ The Scottish constable Richard de Moreville increased his family's already considerable position in the north west of England through his marriage to the daughter of William, the lord of Lancaster.⁶⁷ Lastly, Reginald Prat, the father-in-law of Richard de Melville married (presumably as his second wife), the daughter of Ranulf son of Uhtred. Ranulf was one of King William's officials in his lordship of Tynedale and held land at Humshaugh near Haydon Bridge in Northumberland.⁶⁸ These marriages stand as important reminders that the Anglo-French presence in Scotland should not be treated in isolation and that the families established in the localities had continuing access to a wider aristocratic world. However, in the final analysis the evidence, as limited as it is, does tend to suggest that in general the aristocracy established in the south east married within their own locality or region. On the available evidence it is possible to suggest that the exceptions can be explained either by tenurial links or by the high standing and wide interests of the families involved.

The essential localisation of southeastern society can be given further illustration through an examination of the witnessing patterns of benefactions to local monastic houses. Local witnessing patterns indicate the active presence of a number of groups within a given locality. Whilst in general, witnessing patterns can suggest the extent to which transactions of local significance were attested by members of the local community, a number of charters do indicate the prominent role played by lordship groups as a constituent part of local

⁶⁶ The date of Walter's marriage is uncertain but it is conceivable that it was enacted during the reign of David I when Gilbert de Umfraville was acting as constable in Northumberland for the King's son Henry. Walter's wife is mentioned in *Melrose Liber*, nos. 113-14; *RRS* ii, no. 447.

⁶⁷ *PR* 16. *Henry II*, 53.

⁶⁸ *RRS* ii, no. 424.

society. The evidence of local witnessing patterns can thus add dynamic significance to the often flat recital of ties and associations found in the main body of documentary sources and they illustrate the way in which a communal structure was developed through the interaction of a number of groups within a local framework. Within Roxburghshire, the largest number of charters can be found from the community established in the south east in the region of Yetholm. Within this community a number of individuals can be found witnessing each other's charters.

A charter detailing land granted at Clifton to Melrose Abbey late in the reign of William I by Walter Corbet and his brother Robert was witnessed by a number of individuals from the local community including Richard le Nain and his son Ranulf from Kirk Yetholm, William son of John from Hownam and Simon son of Uhtred from Elstanehale (near Mow). Also present on the witness list were two individuals from Tweeddale, John the deacon of Roxburgh and Bernard de Hadden.⁶⁹ A charter for Walter de Windsor who also granted land at Clifton to Melrose, was witnessed by John son of Orm and his son William from Hownam, Richard le Nain and his son Ranulf (Kirk Yetholm), Uhtred and his son Simon (Elstanehale) and Ivo the clerk of Morebattle.⁷⁰ Also present on the witness list were Peter of Morebattle and Ansketil of Whitton.⁷¹ On the Hownam feu, William son of John confirmed his father's grant of a grange at Hownam to Melrose Abbey, in a charter witnessed by Walter and Robert Corbet, Simon of Elstanehale, Robert de

⁶⁹ *Melrose Liber*, nos. 113-14

⁷⁰ *Ibid*, no. 116.

⁷¹ Both of these men appear only as witnesses to charters issued from eastern Roxburghshire. Ansketil appears as a baptismal name in the de Ryedale family whilst Peter de Morebattle may be Peter the priest of Morebattle who is later found witnessing two grants for Anselm de Mow.

Burnold (Whitton), William the priest of Hownam and John the deacon of Roxburgh.⁷² William son of John also granted to Melrose land at Rushy Fell on the southern marches of the Hownam feu in a grant witnessed by Robert Burnold and the Tweeddale landholder Peter de Haig.⁷³ Two charters detailing the grants of land at Mow made to Melrose Abbey by Anselm de Mow were witnessed by John son of Orm and his son William, Richard the deacon of Hassendean, Peter the priest of Morebattle and William the priest of Hownam. Anselm's grants were also witnessed by Roger de Wilton about whom nothing else is known.⁷⁴ Anselm elaborated on his initial grants, by providing them with specific boundaries in a further charter which was witnessed by a group including, John son of Orm, Walter Corbet, Ranulf le Nain and his sons, Richard, Hubert and Walter, Uhtred of Elstanehale and Peter the priest of Morebattle.⁷⁵ Finally, a grant of land at Whitton made to Melrose Abbey by Robert Burnold was witnessed by Richard le Nain and the Tweeddale landholders, Thomas de Colville and Roger Burnard.⁷⁶

On the de Ryedale feu at Whitton, a number of minor landholders granted land to Melrose Abbey. The four charters in which these grants are recorded illustrate that a lordship group could be a constituent part of local society active in transactions of purely local importance. They include as witnesses the donor's immediate neighbours on the Whitton feu, yet they are also indicative of the integrated nature of local society through the inclusion of a number of

⁷² *Melrose Liber*, no. 130.

⁷³ *Ibid*, no. 131.

⁷⁴ *Ibid*, nos. 134-35.

⁷⁵ *Ibid*, no. 137.

⁷⁶ *Ibid*, no. 154

individuals from within the local community established along the Rivers Kale and Bowmont. Robert Burnold granted the abbey twenty acres of his land in a charter witnessed by Patrick de Ryedale (lord of Whitton) and his sons Walter and Ranulf de Ryedale. Also present was Adam de Whitton about whom nothing else is known.⁷⁷ That this transaction was an occasion for bringing the wider eastern community together is indicated through the presence on the witness list of, William son of John, Richard le Nain, Simon of Elstanehale and Henry de Mow.⁷⁸

The confirmation of the above issued to the abbey by Patrick de Ryedale was witnessed by his son Ranulf de Ryedale and the Whitton tenants, Adam de Whitton and Alexander fitz Waldef (brother of Geoffrey fitz Waldef who held land at Whitton). Also present were William son of John, Richard le Nain and Henry de Mow.⁷⁹ Geoffrey fitz Waldef granted the abbey land totalling four bovates in a series of charters witnessed by his lord Patrick de Ryedale and his sons Walter and Nicholas, Robert Burnold, Adam de Whitton and William de Whitton. Richard le Nain was also present on the witness list.⁸⁰ Lastly, a grant made by Geoffrey Cocus, of one bovat at Whitton to the Hospital of Jerusalem (which later came to Melrose Abbey) was witnessed by Walter II de Ryedale, Adam de Whitton, Alexander fitz Waldef, Robert Burnold and his son Robert. The witness list also included William son of John from Hownam.⁸¹

⁷⁷ *Melrose Liber* no. 152.

⁷⁸ *Ibid.* It is possible that Henry de Mow was Henry de Cormunnock the second husband of Eschina de Londres.

⁷⁹ *Ibid.*, no. 153.

⁸⁰ *Ibid.*, nos. 156, 158, 160.

⁸¹ *Ibid.*, no. 161.

Elsewhere in Roxburghshire, two documents from Tweeddale reveal Roger Burnard and Hugh de Normanville granting land to Melrose Abbey in charters witnessed by a group of predominantly local individuals. In the first of these, Roger Burnard granted the abbey unspecified land at Fairnington in a charter witnessed by Thomas de Colville (Heiton), Bernard de Hadden and Robert son of Maccus (Makerstoun).⁸² In the second benefaction, Hugh de Normanville and his wife Alina granted the abbey land at Maxton in exchange for the land granted there by Alina's father Robert de Berkely. This exchange was witnessed by Roger Burnard, Peter de Haig, Robert son of Maccus, Eudo the chaplain of Lillesleaf and Adam the priest of Maxton.⁸³ These Roxburghshire examples suggest that within a given geographical location there was a more than superficial level of involvement in local affairs. The evidence is also indicative of the integrated and multi-faceted nature of local groupings. The transactions outlined as examples brought together both local lordship groups and individuals from within the general local framework illustrating both the inter-connected nature and the plurality of relationships within local society.

A similar observation can be made from an examination of the witnessing patterns from the Haddington region of East Lothian. A number of Newbattle Abbey charters suggest that individual members of the community established in this area were involved in local affairs through the witnessing of local charters. Late in the reign of William I (post 1185), Peter de Graham, lord of Cousland, granted an unspecified amount of land on his feu to Newbattle Abbey in a charter witnessed by a group of local landholders including Alexander de St Martin, Henry de Pencaitland and his son John, Thomas de

⁸² *Melrose Liber*, no. 87.

⁸³ *Ibid*, no. 92.

Morham, Alan and William de Graham and Robert the priest of Pencaitland.⁸⁴ This grant was later confirmed by Peter's brother Henry in a charter witnessed by Alexander de St Martin, Alexander de Graham and Henry de Pencaitland.⁸⁵ At Hailes near Bearford, Oliver fitz Kyle (Fraser) granted a ploughgate of his land to Newbattle in a charter which was witnessed by Thomas de Morham.⁸⁶ The Frasers themselves acted as witnesses to a charter granted by Thomas's father, John de Malherbe, when he confirmed the marches between his land at Morham and the land held by Newbattle Abbey at Kressewelle. Both Adam fitz Odard and Bernard Fraser the nephews of Oliver fitz Kyle, appear on the witness list to John's act along with Walter de Congelton.⁸⁷ A donation made by Thomas de Morham, of his mill pond at Bearford was witnessed by Alexander de St Martin and Henry de Pencaitland.⁸⁸ Finally, John de Vaux from Gullane witnessed a grant made by Thomas de Morham's mother Ada de Malherbe, when she donated her land east of Bearford to the Newbattle monks. Included in the witness list were two further unknown individuals Ranulf and Alexander.⁸⁹

These predominantly local transactions from Roxburghshire and Haddington suggest a level of interaction in the localities commensurate with Susan Reynolds's argument for collective activity as a major constituent part of local

⁸⁴ *Newbattle Registrum*, no. 7.

⁸⁵ *Ibid*, no. 8. The witness list also included a number of otherwise unknown individuals, Norman fitz Bertolf, Walter Frebern, Gilbert de St Martin.

⁸⁶ *Ibid*, no. 73. The witness list also included three high status clerics, Jocelin bishop of Glasgow, Arnold abbot of Melrose and Archibald abbot of Dunfermline.

⁸⁷ *Ibid*, no. 86.

⁸⁸ *Ibid*, no. 87.

⁸⁹ *Ibid*, no. 89.

communal society.⁹⁰ Of course not all individuals appear to contribute to local interaction. Certain individuals such as Philip de Valognes and Robert de Quincy were substantial landholders elsewhere in Scotland and can hardly be described as small local landholders. They were also members of the royal court and were thus away for long periods on the King's progressions around the Kingdom. Other individuals such as the Lovels of Hawick had substantial interests in England and thus may have been away for long periods on their English estates. This accordingly introduces opportunity into any discussion of local interaction. Certain individuals with far flung interests may simply not have had the opportunity to become actively involved in local affairs yet others do not have such a convenient explanation to cover their relative absence.⁹¹ However, such unexplained absences can be significant in that they suggest that participation in local transactions was not automatic even for those with predominantly local interests and thus involved an element of conscious choice which is important. Accordingly, enough evidence of at least some level of participation in local affairs does exist to allow the suggestion that for the majority of individuals, attachments were developed through collective activity. This phenomenon was of importance in that the plurality of relationships arising out of proximity, lordship and family groups were given dynamic significance through their interaction within specific geographical boundaries. The integration of these elements accordingly helped to link individuals, families and groups together and constituted a major advance in the creation of aristocratic networks within local society.

⁹⁰ See Reynolds, *Kingdoms and Communities*, 87-93. For discussion of the relevance of her argument in a Scottish context see above Chapter One, 14-15.

⁹¹ It is of course possible that they may have been witnesses to lost Jedburgh charters.

So far the methodological approach has been to examine the associations and ties within each geographical community in relative isolation. However, individuals interacted with each other across the counties to create wider aristocratic networks which cut across local boundaries.⁹² For a number of individuals who were not active members of the royal court, the King's presence in their region gave an opportunity for the extension of associations to include wider society. Roxburghshire especially was rich in royal institutions and the crown was often present in the shire at one or more of these royal centres.⁹³ Such a powerful and active royal presence provided an important focus for assimilation not only for those most typically found with the court but also for those more local individuals who rarely figure in tables of proximity drawn from the analysis of witnessing patterns.⁹⁴ On the available evidence it appears that only a few individuals were especially prominent on the witness lists of royal documents issued in Roxburghshire. However, this point is not as significant as it may seem at first glance. As will be argued in Chapter Five, rather than forming the basis of an analysis of influence, the witnessing of royal documents provides an illustration of a comparatively small group of individuals upon whom the crown was accustomed to call for the requirements of documentary authorisation.⁹⁵ As such predominantly local landholders did not feature prominently in royal documents as a matter of

⁹² This becomes particularly relevant under the social impact of religious patronage discussed in detail in Chapters Three and Four.

⁹³ Barrow has provided an overview of royal itineration in the introductions to both *RRS i* and *RRS ii*. Within which until the later years of the reign of William I the court was often south of the Forth.

⁹⁴ This theme will be discussed in detail in Chapter Five.

⁹⁵ *Ibid.* See also D.R. Bates, 'The Prosopographical Study of Anglo-Norman Royal Charters', *Family Trees and the Roots of Politics: The Prosopography of Britain and France from the Tenth to the Twelfth Century*, ed. K.S.B. Keats-Rohan (Woodbridge, 1997), 89-102.

course. Furthermore, those individuals who could be considered to have been relatively prominent were either the bigger landholders in the localities or else held some local or court based office.

During the reign of Malcolm IV, Richard Comyn, Henry de Percy, Orm of Hownam and Liulf son of Maccus all witnessed more than one royal charter with two attestations each between 1157 and 1162. During the reign of William I six individuals witnessed more than one royal document during an occasion when the court was in Roxburghshire. Philip de Valognes and Bernard fitz Brian both witnessed five royal charters, John de Londres and Walter Corbet witnessed three each, whilst Walter de Windsor and Robert de Londres were present on the witness list of two royal documents.

In general, although some of the more prominent landholders did attest documents with a wider relevance, the subject matter of the documents witnessed by the Roxburghshire landholders was in the main of local importance being either royal confirmations or royal grants to local monastic houses. The smaller landholders in particular seem to have only witnessed royal documents when the subject of the charter in question required local involvement. Of course exceptions to this rule applied and, as will be seen in Chapter Five, a number of individuals can be found operating with the court outwith their home areas, but the smaller local landholders were not in the main prominently represented on charters which, being issued in Roxburgshire, dealt with subjects outwith the modern county. This can be seen in a number of examples. During the reign of Malcolm IV at a date between 1157 and 1159 Orm from Hownam in the east of the county witnessed the royal grant of Sawtry in Huntingdonshire to Warden Abbey. Orm was joined by the

Tweeddale landholders, Robert Farburne, Henry de Percy and Liulf son of Maccus.⁹⁶ In 1159 Walter Corbet, Ansketil de Ryedale and Orm of Hownam who were all from the east of the county were joined at Roxburgh by Richard Comyn along with the Tweeddale landholders Henry de Percy and Liulf son of Maccus to witness the great confirmation charter issued to Kelso Abbey.⁹⁷ Finally, Philip de Colville from Heiton in Tweeddale was at Roxburgh in 1162 along with Richard Comyn and witnessed the general confirmation of the lands and possessions of Jedburgh Abbey.⁹⁸

During the reign of William I, a number of Roxburghshire landholders continued to witness at the royal court whilst the King was in the county. Early in the reign *circa* 1170 Philip de Valognes, who it must be noted was frequently found with the court on its travels around the realm and whose far flung estates make him one of the most important landholders in Roxburghshire, was joined at Peebles by Bernard fitz Brian in a charter witnessing the confirmation of the lands and possessions of Jedburgh Abbey.⁹⁹ Between 1173 and 1178 these two individuals were joined at Selkirk by Robert de Berkely and his cousin John de Londres and witnessed a quitclaim made by the King to Coldingham Priory.¹⁰⁰ Again between 1173 and 1178 Philip de Valognes was at Jedburgh along with John de Londres and Walter de Windsor (Clifton in the east of the county) and witnessed a royal act

⁹⁶ *RRS* i, no. 128.

⁹⁷ *Kelso Liber*, iii-vii.

⁹⁸ *RRS* i, no. 195.

⁹⁹ *RRS* ii, no. 62.

¹⁰⁰ Raine, *North Durham*, no. 35.

confirming the marches of the land belonging to Coldingham Priory.¹⁰¹ It is possible that they were joined at Jedburgh by Bernard fitz Brian and Henry Lovel (from Hawick in the central region of the county) who within the same date sequence witnessed a confirmation of the grant of the church of Maxton to Kelso Abbey.¹⁰² At a date between 1179 and 1190 Walter Corbet and Bernard fitz Brian were at Selkirk and witnessed the royal confirmation of the lands and possessions granted to Paisley Abbey on its foundation by Walter fitz Alan.¹⁰³

Between 1180 and 1185 Robert de Londres and his brother John were at Jedburgh along with Walter Corbet and William Comyn to witness the confirmation of the revenue from customs which was due to the burgh of Rutherglen.¹⁰⁴ Philip de Valognes was also at Jedburgh during the same date sequence and witnessed a charter confirming the lands which Kelso Abbey had been granted in the area of Mow.¹⁰⁵ The presence of Walter de Windsor is also possible as he witnessed within the same date sequence a charter issued at Jedburgh confirming the grant of the church of Maxton to Kelso Abbey made by Walter Corbet during the reign of Malcolm IV.¹⁰⁶ Lastly, in 1193 Robert de Londres was joined at Roxburgh by Philip de Valognes, Walter Corbet, Thomas de Colville and Bernard fitz Brian and witnessed a general

¹⁰¹ Raine, *North Durham*, no. 36.

¹⁰² *Kelso Liber*, no. 404; *RRS* ii, no. 182.

¹⁰³ *Paisley Registrum*, no. 89.

¹⁰⁴ *RRS* ii, no. 244.

¹⁰⁵ *Kelso Liber*, no. 406.

¹⁰⁶ *Ibid*, no. 405.

confirmation of the lands and possessions of Kelso Abbey.¹⁰⁷ Although by no means exhaustive, this Roxburghshire evidence can provide an important illustration of the interaction between individuals established in a number of areas. It can also illustrate the role of the court in providing a focus for assimilation and as such this interaction was vital to the development of wider aristocratic networks and the creation of a mature and stable society within the south east as a whole.¹⁰⁸

Identification with local society was given a further dimension through the holding of office which constituted an important means through which a number of individuals could gain status and influence in their local society in excess of their landed position. The most well documented office from the twelfth century is that of sheriff. The office is first found in a Scottish context in the south east early in the twelfth-century; by the thirteenth-century shrievalties were to be found wherever there were royal financial interests with the office assuming an important judicial and political role in the localities.¹⁰⁹ As Barrow has noted, the sheriff constituted the pivot of royal administration, presiding over the court most in use by free men, collecting and accounting for royal revenue, and often having responsibility for the chief royal castle in his sheriffdom.¹¹⁰ It can be seen that for the south east the crown did not in the main impose men from outside the area upon the numerous shrievalties of the region. Analysis of the various individuals who held shrieval office in the south

¹⁰⁷ *Kelso Liber*, no. 13.

¹⁰⁸ The implications of this for the development of a more national aristocratic community will be discussed in Chapter Five.

¹⁰⁹ For a discussion of the development of the role of sheriff in Scotland see W. Croft Dickinson, *The Sheriff Court Book of Fife 1515-1522* (Edinburgh, 1928), Introduction, xi-lxxiii.

¹¹⁰ Barrow, *Kingdom of the Scots*, 83-138.

east reveals that the majority were men whose main or sole landed interests were in the region, often within their own sheriffdom itself.

The men who acted as sheriffs during the period in question have been well documented by, among others, Geoffrey Barrow and accordingly it is not the purpose of this discussion to appraise the list of all the known individuals.¹¹¹ What is of relevance here however, is that of the eighteen identified individuals who held shrieval office in the south east, twelve were southeastern landholders. These men included Norman of Corstorphin and Walter II de Lindsey as sheriffs of Berwick, Robert fitz Guy, Henry and John de Graham as sheriffs of Edinburgh, Gervase Ridel, Robert fitz Guy, Walter I Corbet, John son of Orm and Bernard de Hadden as sheriffs of Roxburgh, Alexander de St Martin as sheriff of Haddington, Simon son of Malbet as sheriff of Traquair and Andrew de Synton as sheriff of Selkirk.¹¹² Within this list the individual most removed geographically from his sheriffdom is Norman of Corstorphin (to the west of Edinburgh) as sheriff of Berwick during the reign of David I. However, Norman's sole landed interests appear to have been south of the Forth and as such despite his office being, in relative terms, geographically removed from his *caput* he can hardly be regarded as an imposition. Furthermore analysis is not of an immutable law but of a trend of appointment with has a discernible regional and local bias.

A similar bias can be seen pertaining to the office of justiciar of Lothian. In England, the office of justiciar was immediately below the King in the judicial hierarchy, but it would be wrong to assume that justices were solely concerned

¹¹¹ For example see Barrow's list of sheriffs in *RRS ii*, 64.

¹¹² See *ibid.* See also, *ESC*, nos. 120, 152: *RRS i*, no. 185

with judicial work. Geoffrey Barrow has noted that as an Anglo-Norman innovation, the office of justiciar in Scotland probably followed its English counterpart, with the *justiciarius* being the crown's senior and most important regional officer.¹¹³ Unfortunately there are few references to Malcolm IV exercising his judicial functions and no references survive from the reign of his grandfather. Accordingly little or nothing is known of the men who may have held the office of justiciar of Lothian during the period 1124-1165 if indeed, the office existed at all. Evidence however, is available for the reign of William I who appears to have divided Scotland into a number of regional justiciarships and it is possible to identify some of the men who held the post of justiciar of Lothian during his long reign. As with the office of sheriff, the southern *justiciarius* were in the main men who held land in the south east. These included, Richard Comyn, Robert de Quincy, Geoffrey de Melville, Walter II de Lindsey and his son David and Earl Patrick of Dunbar.¹¹⁴ Only the Olifard family and Robert and Gervase Avenel held the office from outside the southeastern region during the period in question.¹¹⁵ However, as the justiciarate probably covered all of Scotland south of the Forth-Clyde line (excluding Galloway) the inclusion of these two families whose main landholdings were south of the Forth is not in itself problematical.

Accordingly, within the wider regional framework, land and office, power and influence, appear to have had a distinct local bias in the south east of Scotland during the period 1124-1214. Land was in general held by families whose feus were held in distinct local groups characterised by relative geographical

¹¹³ Barrow's discussion of the role of the Scottish justiciars is in Barrow, *Kingdom of the Scots*, ch. 3. See also his comments on royal government in his introduction to *RRS ii*.

¹¹⁴ Barrow, *Kingdom of the Scots*, 137.

¹¹⁵ *Ibid.*

proximity which formed the basic association between individuals and families. Where available, marriage ties and witnessing patterns indicate the development of further links within local groups and provide further evidence for a localisation of concerns. Within a wider regional setting, the holding of office helped a number of individuals to gain status and influence beyond their landed strength within their own community. Such a concentration of land and power within the localities helped to develop a genuine regional society characterised by small local communities. As such, the suggestion that local society was characterised by the integration of a plurality of social relationships and attachments stands as a counterpoint to the current stream of Scottish historiography with its emphasis upon feudalism as the medium for explaining social relationships and political loyalties. The more basic associations which were established through vicinity were extended and given depth through a number of elements which not only added depth to the web of relationships within each locality but extended outwards to form an aristocratic network throughout the south east as a whole.

Religious Patronage as a regional phenomenon

This chapter will examine the social implications of religious patronage within a regional framework. The aim of the chapter is to examine both the motivations for patronage and the regional framework within which personal considerations were given impetus. The main focus of analysis will be upon the major royal foundations in the sample areas.¹ Analysis of their surviving material will underpin the importance of royalty to the process of assimilation through providing an illustration of the role such major centres could play in the process of integration. To this end the following analysis has largely been to the exclusion of the more minor female houses in the region as the aim has been to focus upon the influence of the main royal foundations in conditioning the politics of choice.² It is to be argued that royal connections provided a vital factor in the distribution of grants and that such connections can be seen not only in the choices made by individuals but also in the *pro anima* clauses of the grants themselves.³ The discussion will be undertaken in the light of wider Anglo-Norman and continental scholarship and although there are differences in the nature of the evidence, in general the Scottish model reveals a number of areas of correspondence with wider Anglo-French forms. Religious

¹ The relatively large body of surviving material provided by the printed cartularies of these houses allows for the meaningful analysis of patterns of patronage throughout the period in question.

² Indeed it will be noted that the minor female houses were not in the main patronised by the smaller landholders in the region and as such they were rather poorly endowed in comparison to their more major male counterparts.

³ Of course these were largely beneficiary drafted charters and may have simply reflected the concerns of the recipient communities. However, as the twelfth century progressed there was a marked increase in the variation of *pro anima* clauses which argues against a simple formulaic topoi. Furthermore, royal requests were by no means the most common form which further argues against its inclusion being automatic, see below.

patronage is a subject with important implications for a discussion of local attachments and community identities. Religious affiliations, where such can be identified within a local context, form one of the major constituent parts of local society and can be an important indicator of the strength of local attachments. With few competing honorial claims to cloud the issues of religious affiliation, the networks of patronage which developed during the twelfth century can reveal much about the structure of southeastern society.

The distribution of religious patronage provides further evidence for the integration of local groups within specific geographical locations with particular emphasis being placed upon the importance of family attachments. Accordingly, an investigation of the distribution of patronage can illuminate further the development of relationships within a local context. Yet whilst the analysis reinforces the picture of a society fragmented into small local groups, the phenomenon of intra-regional patronage also places these local groups within a wider regional framework. Accordingly, the growth of associations between individuals and communities established in different counties gave a genuine region-wide character to the emerging aristocracy through the development of wider aristocratic networks within the region as a whole.

As discussed in Chapter One, during the reign of David I only six individuals can be positively identified as having granted land to a Scottish religious community.⁴ However this situation was to develop rapidly during the second half of the twelfth century with the most dramatic changes taking place during the reign of William I. There are several inter-connected factors which explain the increase in the incidence of benefactions in the second half of the century.

⁴ Chapter One, 30.

Firstly there was an increase in the number of Anglo-French families settled in southeastern Scotland. By 1214 a total sample of sixty-two families has been identified from the analysis of landholding patterns in the region.⁵ This figure represents an increase of nearly three times the number during the reign of David I. This of course increased the pool from which patronage could be drawn and it is only natural that increases in the number of benefactions should mirror increases in the size of the population. Also by 1214 the religious communities themselves had become more stable than earlier in the twelfth century.

Throughout the reign of David I there was still a sense of newness about his foundations. As the century progressed these houses became more established, taking on a maturity which they had not previously enjoyed. The full impact of new ecclesiastical institutions arrived not with their foundation, but with their physical completion. Few if any of the large foundations of David's reign could have been completed in their final physical form before his death in 1153. As these houses took on form and permanence later in the century their attraction as repositories of noble benefactions increased. Some weight can be given to this argument through the fact that few individuals used their Scottish assets to patronise houses either in England or in France during this period of consolidation. A few well known examples are extant to sound a note of caution, for example the Percy family's grant of two ploughgates and a church at Oxnam to Whitby Abbey or Philip de Colville's grant of ten acres to Harrold Priory in Bedfordshire.⁶ But by and large the settlers concentrated their benefactions upon the major royal houses in southeastern Scotland and

⁵ See Chapter Two, 34.

⁶ These grants are detailed in *RRS i*, no. 139 and *RRS ii*, no. 62.

this after the stability of these institutions has been assured. Accordingly there was a clear increase in the number of benefactions received by southeastern houses during the second half of the twelfth century.⁷ During the reign of Malcolm IV 1153-1165, eighteen southeastern landholders out of a sample of thirty-nine made twenty-four original grants to southeastern houses. During the reign of William I 1165-1214, fifty southeastern landholders out of a total sample of sixty-two had made one hundred and twelve original grants to southeastern houses. The initial rate of development during the early years of Williams reign was slow and even appears to tail off towards the late 1170s.⁸ However after the mid 1180s the number of benefactions increased rapidly with the majority of grants being made during the period 1185 to 1200. Indeed the overwhelming majority of lay grants fall into a ten year period between 1185 and 1195. Thereafter grants continued to be made until the end of the reign but less frequently than during the late 1180s and early 1190s. As such by 1214, 80% of the total sample of landholders had become benefactors of southeastern houses.

An examination of the personal impetus behind the donations made in southeastern Scotland can shed some important light on the function of religious benefactions. In general the personal motive behind religious patronage in southeastern Scotland corresponds with wider Anglo-Norman and continental models. The explicit purpose of gift giving was almost always

⁷ This situation is paralleled in Anglo-Norman England where during the reign of William Rufus among the lower ranks of the aristocracy there was a clear shift towards the patronage of religious houses in England that had no obvious connection with the continent. This is significant in that many of the individuals concerned were first time benefactors. The situation marked a clear increase from the reign of William I. See Cownie, *Religious Patronage*, 193-94.

⁸ The marked tailing off noted in mid 1170s to mid 1180s coincided with the English garrisons of Roxburgh, Edinburgh and Berwick which marked a period of uncertainty in the stability of the crown's control over southeastern Scotland.

to promote the spiritual welfare of the donors and their families and sometimes also their lords and friends by the means of prayers, liturgical commemoration, burial, admission or some other sort of association with the religious community.⁹ In the twelfth century the influence of monasticism especially of the reformed kind permeated society. Monasticism was considered the most perfect expression of Christian life. This line of reasoning can be seen in contemporary sources, for example the writing of Orderic Vitalis. He says of monasteries that 'countless benefits are obtained there every day and Christ's garrison struggles manfully against the devil'.¹⁰ Again he writes in praise of monastic prayer that 'who can tell all the vigils of the monks, their hymns and psalms, their prayers and alms and their daily offerings of masses with copious tears?'.¹¹ In general laymen and women sought association with monastic houses through gifts and landed donations which would bring the donor and their families the benefit of prayer and the hope of salvation.¹² An examination of the *pro anima* requests of charters from southeastern Scotland reflects the interests and concerns of the donors for the spiritual welfare of themselves and their family and suggests that the sentiments behind these requests were by no means simply formulaic topoi.

A good example of the type of *pro anima* request attached to the donations

⁹ For wider discussion on the Christian belief in the efficacy of prayer as a motivation behind patronage see G. Constable, *The reformation of the Twelfth Century* (Cambridge, 1996), 243-44; Cowrie, *Religious Patronage*, 151-71; Little, *Religious Poverty*, 3-18, Gregory, *Gifts and Commodities*.

¹⁰ OV, iii, 144.

¹¹ *Ibid.*

¹² For the influence of reformed monasticism on contemporary attitudes see Constable, *Reformation*, 6-7; Bouchard, *Sword, Mitre and Cloister*, 229; S. Wood, *English Monasteries and their patrons in the Thirteenth Century* (Oxford, 1955), 122-135; J. Le Goff, *The Birth of Purgatory* (English Translation Chicago, 1981), 11-12, 45-46, 102; J. Wardrop, *Fountains Abbey and its Benefactors, 1132-1300* (Kalamazoo, 1987), 235-76.

made in Southeastern Scotland is Walter de Lindsey's grant of Fauhope to Melrose Abbey during the reign of Malcolm IV. After the opening clause and the detail of the grant, Walter's charter states that his donation had been made, *in perpetuam elemosinam pro anima patris mei et matris et omnium parentum meorum et anima mea*.¹³ While such clauses may have been formulaic, analysis of *pro anima* requests from southeastern Scotland suggests that they are likely to have reflected genuine sentiment on the part of the donors. Analysis of one hundred and forty seven non-royal grants made to six monastic houses has revealed a marked concern for the well-being of the donors and their families.¹⁴ Whilst such a sample cannot claim to be comprehensive, it does appear to reflect the concerns of the donors for the spiritual welfare of themselves and their families. The *pro anima* requests of these charters also strongly suggest that the sentiments behind them were by no means formulaic or automatic.¹⁵ The catalogue of *pro anima* requests for the years 1124-1214 is given in Table One.

¹³ *Melrose Liber*, no. 12.

¹⁴ The houses concerned were Dryburgh Abbey, Holyrood Abbey, Jedburgh Abbey, Kelso Abbey, Melrose Abbey and Newbattle Abbey.

¹⁵ Emma Cownie has done a similar analysis using a sample of 185 donations from forty-eight religious houses in England, Cownie, *Religious Patronage*, 153-166. See also J.T. Rosenthal, *The purchase of paradise: gift giving and the aristocracy 1207-1485* (London, 1972), 11-30.

Table One. *pro anima* requests from the South East 1124-1214.

Pro anima requests	Male donors	Female donors	Joint donors	Total
Self/selves	96	11	7	114
Kin	15	1	-	16
Father	39	8	9	56
Mother	34	8	8	50
Grandparents	3	-	-	3
Wife	37	-	-	37
Husband	-	7	-	7
Brothers	2	2	-	4
Sisters	-	1	-	1
Sons	6	3	-	9
Daughters	-	2	-	2
Ancestors	81	7	7	95
Heirs/successors	83	6	6	95
Lord	7	-	3	10
King/Royalty	58	1	2	61
Other	4	-	-	4
Total number of charters	121	11	15	147

The figures presented in the table above reveal that the most frequent element in *pro anima* requests was the formula ‘for my own soul’ which occurs in 77% of the sample. However, its absence from the remaining 23% indicates that its inclusion was not necessarily automatic.¹⁶ The numerous requests for

¹⁶ Of course it is possible that such a clause could have been omitted in a cartulary copy. However, the presence of requests for other individuals when prayers for the donor’s own soul is omitted suggests that not all absences were due to scribal pruning

the souls of the donor's fathers and mothers reveal a relatively high level of concern for both parents with requests for the souls of fathers being slightly higher than for mothers. The high level of requests for ancestors and successors is an indication of the concern for family in general and this is borne out by the 30% of the male sample and the 36% of the female sample who include a request for their spouse in their donation. Invariably these requests come before those for the donors own soul (although there are variations in the exact formula used) and as such they can provide evidence for the importance of the family within local society. The suggestion made in Chapter Two that one of the major characteristics of local society was the inter-action of family groups is thus reinforced by the strong sense of family involvement in religious concerns, in particular the variation in the kindred included in *pro anima* requests. The sharp emphasis placed upon family requests also illustrates the strong local attachments which could be developed through the linking of family and lineage with perpetual endowment, a point which becomes especially relevant during the second half of the twelfth century when the heirs of donors perpetuated family relationships with recipient houses.¹⁷

Those outside of the family group are less frequently mentioned with royalty being the most evident in 41% of cases. The south east of Scotland was a region of strong royal influence and this powerful royal presence is reflected in the relatively high percentage of *pro anima* requests for the king. Furthermore these requests always come before any others which can be very revealing of

¹⁷ Regarding the perpetuation of relationships through family lineages see discussion in Chapter Four.

the impact of the crown on the issues of patronage.¹⁸ The Scottish evidence in this respect contrasts strongly with the findings of Emma Cownie whose survey revealed royal requests in only 14% of the charters in her sample.¹⁹ As such it can be argued that local loyalties were focused through royal influence and that assimilation depended not only upon local connections but also upon the position of the crown and royal patronage. The high percentage of *pro anima* clauses which include the king therefore suggests that for the relatively minor landholders established in the south east, one of the main characteristics of regional society was the awareness of being part of a wider regnal community centred upon the king.²⁰

In general, analysis of *pro anima* clauses indicates that the majority of donors were concerned to make a donation which would bring merit to themselves and to their families. As such, in these general outlines, the patronage received by the houses in southeastern Scotland mirrors wider Anglo-Norman and continental models.²¹ Of course one cannot draw exact parallels. Analysis of the motivations behind the patronage of lay foundations for example are of only limited application in southeastern Scotland due to the almost exclusively royal nature of the region's major religious houses.²² In a similar fashion the

¹⁸ A good series of examples comes from Mow in Roxburghshire in a number of charters detailing Anselm de Mow's grants to Kelso Abbey. In this series concern for the souls of David I and Prince Henry come before those of Anselm's family and himself. See *Kelso Liber*, nos. 152-54.

¹⁹ Cownie, *Religious Patronage*, 155.

²⁰ The sense here is of the wider Scottish Kingdom or what in the later thirteenth century would be articulated as the 'community of the realm'.

²¹ See for example Cownie, *Religious Patronage*, 154-57.

²² For example, Emma Cownie has discussed the effect that lordship could have on the patronage of lay foundations *ibid*, 169. Richard Mortimer has also discussed the patronage of new lay foundations in the case of Stoke-by-Clare in Suffolk, R. Mortimer, 'Land and service: the tenants of the honour of Clare', *ANS* iii (1986), 177-97.

lack of *libri vitae* from the southeastern houses makes the issue of fraternity requests problematical. In general, charters from southeastern Scotland contain few references to confraternity and those that do exist are from benefactors who are relatively removed geographically from the houses in question. It is thus almost impossible to draw parallels with the importance of confraternity seen in wider Anglo-Continental models.²³ Yet despite distinctions, *pro anima* requests from southeastern Scotland broadly speaking do show a correspondence with wider Anglo-Norman and continental forms. This correspondence with wider patterns is also revealed in the social status of patrons and the type of donation made in the region.

The analysis of the social status of donors in southeastern Scotland suggests a correspondence with the model of downward diffusion through Anglo-Norman and continental society.²⁴ The majority of benefactors in southeastern Scotland were drawn from the ranks of the lesser nobility. Whilst this reflects changes in wider twelfth century continental practice, it must be noted that it also represents social conditions which were not mirrored exactly in wider continental experience. There were few great landholders in southeastern Scotland and only three landholdings can correspond to the honorial stereotype. Accordingly conclusions drawn from wider models cannot be paralleled exactly in the subject area. However, the types of donation made in southeastern Scotland do mirror changes in the wider Anglo-French world. Sizable grants of land were rare and the type of endowment which was typical within the south east of Scotland included gifts of tithes, churches, mills and

²³ See discussion in Cownie, *Religious Patronage*, 158-59.

²⁴ See Bouchard's observation on the status of benefactors in Burgundy, Bouchard, *Sword, Miter and Cloister*, 131-8. Also Cownie, *Religious Patronage*, 152, 168-69.

small parcels of land. For example by 1214, twenty-seven original grants, representing 43% of the sample of landowners, included a church or chapel as part of a donation. This mirrors changes elsewhere in the Anglo-French world where increasing clerical hostility to lay possession of rights in churches and teinds made the issue of such problematical. As such these grants became more prevalent throughout the twelfth century as landholders sought to comply with current church doctrine. Of course the patronage from south eastern Scotland was neither uniform nor consistent, but in general the size and type of grant broadly corresponds to wider Anglo-Norman and continental forms and represents both the social status of the donors and changes in opinion following on from twelfth century notions of reform.²⁵

So far patronage has been discussed here only in terms of personal motivation. An attempt must be made to analyse the wider implications of patronage within a regional framework. Donations were transactions with a number of symbolic and social meanings which acted as a bond between the donor and the recipient house. This needs to be discussed against the background of wider Anglo-Norman and continental patterns which can provide context for patronage in its Scottish form. In general, the Scottish evidence reveals both correspondence and divergence with the historiography of the subject.²⁶ Georges Duby has noted that the flow of donations went through several phases of unequal flow, intensity and direction.²⁷ More recently Constance

²⁵ See comments by Bouchard, *Sword, Miter and Cloister*, 132; Cowrie, *Religious Patronage*, 169; Constable, *Reformation*, 243-44.

²⁶ For a discussion of the recent historiography of patronage as a social phenomenon see Chapter One, 27-31.

²⁷ G. Duby, *Rural economy and country life in the medieval west* (English Translation London, 1968), 174.

Bouchard has reinforced this notion from a study of patronage in twelfth century Burgundy. On the one hand Bouchard argues that religious benefactions were part of the fabric which held local society together, being part of the web of aristocratic relationships and thus an important aspect of noble life.²⁸ However, she has also noted that the Burgundian aristocracy were neither uniform nor consistent in their support for local churches.²⁹

Whilst the inconsistency argued for by both Duby and Bouchard can be mirrored in southeastern Scotland, the distribution of patronage in the region is marked by a clear increase in the number of benefactions. Accordingly, the Scottish evidence does not support either Duby's contention that changing attitudes towards pilgrimage for example, affected the flow of patronage in the twelfth century, or correspond to Bouchard's findings that the flow of benefactions was infrequent in twelfth century Burgundy in contrast to the eleventh century.³⁰ Furthermore, the inconsistency of patronage in southeastern Scotland supports an argument for a distinct regional bias in matters of choice and corresponds to Bouchard's important point that Burgundian monasteries had an area of greatest influence where most of their property lay and most of their benefactors lived ensuring that the patterns of patronage tended to be local.³¹

Emma Cownie has continued similar themes from an Anglo-Norman perspective. Whilst noting that post-conquest trends in the distribution of

²⁸ Bouchard, *Sword, Miter and Cloister*, 138-48.

²⁹ *Ibid*, 43.

³⁰ See Duby, *Rural economy*, 174; Bouchard, *Sword, Mitre and Cloister*, 132.

³¹ Bouchard, *Sword, Miter and Cloister*, 200.

patronage were towards diversification, she has argued that a study of patterns of religious patronage provides considerable insight into the nature of social, political and familial linkages and the solidarity of political groupings.³² In her work upon the benefactions made by the Anglo-Norman aristocracy to the Old English monasteries, Cownie has argued that patronage had an important social role in the cementing of loyalties within new lordships.³³ However, as much of her work involves the phenomenon of patronage within the structures of feudal lordship it is only of limited application to southeastern Scotland due to a relative lack of honorial communities in the region. Thus for example, her argument that patronage as an indicator of loyalty can be clouded by competing honorial claims is a factor largely absent on the majority of feus in southeastern Scotland.³⁴ However, she has made the considerable observation that locality played an important role in choice, and that the relationships formed with houses in England played an important role in the consolidation of settlement and the creation of local loyalties.³⁵ As such, Cownie's observations on the subject, where they find a correspondence in Scotland, can shed valuable light on the nature of the Scottish evidence.

An examination of the distribution of patronage in southeastern Scotland reveals a pronounced regional bias in the houses which received benefactions from individuals and their families. This bias can be illustrated through the

³² Cownie, *Religious Patronage*, 9, 168.

³³ *Ibid*, 180.

³⁴ *Ibid*, 172-76. A similar conclusion can be drawn regarding the observations made by Christopher Harper Bill and David Crouch which regard patronage as an expression of corporate solidarity within lordships, Harper-Bill, 'Piety of the Anglo-Norman Knightly Class', 67; Crouch, *Beaumont Twins*, 112.

³⁵ Cownie, *Religious Patronage*, 200, 209-10.

relatively low number of benefactions made to houses outside of the region.³⁶ The low number of benefactions made during the reign of David I makes any analysis of the figures for this reign difficult. Only the Percy brothers at Heiton and Oxnam can be identified as having granted land to a monastic house established outside of the region during the period 1124-1153. As well as granting a ploughgate of land at Heiton to Kelso Abbey, Geoffrey de Percy also granted a ploughgate of land at Oxnam to his family's foundation at Whitby in North Yorkshire, a grant in which he was followed by his brother Alan.³⁷ The period 1153-1165 also yields only a single grant to a house established outside of the southeastern region. In this case, Robert de Londres granted a toft at St Boswells to Dunfermline Abbey.³⁸ During the same period the major royal southeastern houses had received twenty-four grants from sixteen southeastern families.

The period 1165-1214 sees the figure for grants made outside of the region rise to ten individuals or families out of a sample group of sixty-two. Furthermore, only Ralph of Yetholm, who granted Manuel Priory in Stirlingshire a dwelling in Roxburgh, and Alexander II de Seton who granted Dunfermline Abbey land at Beeth in Tranent, made donations exclusively to monastic communities outside of the region during the reign of William I.³⁹ The other seventeen extra-regional donations were made by eight individuals who were also benefactors of southeastern houses. In general, these grants

³⁶ The essential elements of localisation will be discussed in detail in Chapter Four.

³⁷ Geoffrey de Percy's grant to Kelso Abbey is detailed in *Kelso Liber*, no. 358. The grants to Whitby Abbey are detailed in *RRS ii*, no.62.

³⁸ *Dunfermline Registrum*, no. 48.

³⁹ Ralph of Yetholm's grant is detailed in *RRS ii*, no. 75. Alexander de Seton's grant is detailed in *Dunfermline Registrum*, nos. 177-78.

were made by families such as de Quincy, de Moreville or Giffard for example, whose landed interests in several Scottish regions are reflected in the wider scope of their religious patronage. Thus for example, Saer de Quincy granted land at Beeth in Tranent to Dunfermline Abbey and his land at Abbots Deuglie in Arngask Perthshire to Cambuskenneth Abbey.⁴⁰ In a similar fashion Hugh Giffard made two grants to St Andrews Cathedral consisting of the church of Tealing in Angus and two bovates of land at Powgavie in Perthshire.⁴¹ Such grants reinforce the suggestion that individuals with wide interests could be active in a number of areas and links back to the issue of hierarchy within the landholding classes. These extra-regional grants can accordingly illustrate the differences in noble behaviour as determined by social and economic status which thus stands as an important consideration in the politics of choice. During this same period 1165-1214 the major royal houses south of the Forth received one hundred and twenty-four grants from fifty individuals and their families.

Accordingly, only 9% of the total sample of Anglo-French landholders and their families established in the region had patronised a religious community outside of the south east by the close of the period in 1214. When this is compared to the nearly 80% who had made donations to southeastern houses the distinct regional bias of patronage in the region becomes clear. Furthermore the majority of this patronage went to the major royal foundations in the region. In general, the smaller (independent) landholders did not patronise the more minor female houses which tended to receive the bulk of their patronage from within the lordships of their noble founders. This point

⁴⁰ *Dunfermline Registrum*, no. 154; *Cambuskenneth Registrum*, no. 72.

⁴¹ *RRS* ii, nos. 202, 358.

is important in that the phenomenon would have helped to focus individual and familial concerns upon the region through identifying the donors with their chosen royal houses.⁴² The example of Arbroath Abbey can help to illuminate the importance of this regional bias. Established in 1178, Arbroath Abbey was the only foundation made by William I. As such the house stands out as the main focus of the King's patronage during the later half of his reign. Such an important royal foundation could be expected to draw benefactions from the King's nobles and supporters throughout his realm. However, the house largely failed to attract benefactions from the southeastern region. By 1214 only the Lothian landholders John de Morham and Philip de Melville had made grants to the house from among the southeastern community.⁴³ Patronage therefore in this instance did not follow royal fashion and the distribution of patronage in the south east suggests that benefactions, even to important royal foundations, were largely conditioned within a firm regional framework.⁴⁴ In this respect it is worth mentioning that Arbroath appears to have drawn most of its non-royal patronage from men established north of the Forth predominately in Angus and the Mearns.⁴⁵

⁴² See wider discussions of this subject in B. Rosenwein, *To be the neighbour of St Peter: the social meaning of Cluny's property 909-1049* (Ithaca and New York, 1989), 4-5; Bouchard, *Sword, Miter and Cloister*, 132-38; Cownie, *Religious Patronage*, 160-67, 180

⁴³ John de Morham granted Arbroath his advocacy of his church at Panbride in Angus whilst Philip de Melville granted the community land in the Mearns which he had received of his father-in-law Walter fitz Sibbald. However, neither of these men granted the abbey land from their feus in the south east. Their grants are detailed in *Arbroath Liber*, nos. 24-5, 93.

⁴⁴ Of course this regional bias may have been conditioned by simple economics i.e. communities outwith the area may have considered or been considered too remote to properly exploit the intended grants. Certainly examples exist of communities streamlining their holdings due to problems of exploitation, for example Northampton Abbey exchanged the land it held in Lauder for the church of Bozeat granted to Dryburgh Abbey by Hugh de Moreville, *Dryburgh Liber*, nos. 90-1. Yet whatever the factors involved, the bias in the distribution of patronage remains a clear feature south of the forth.

⁴⁵ See for example the 1213 confirmation of the possessions of the abbey, *ibid*, no. 1.

The breakdown of grants to individual royal houses within the sample area under Malcolm IV are given in Table Two. Those for the reign of William I are given in Table Three.

Table Two. Breakdown of Patronage by House under Malcolm IV.

Monastic House	Number of Patrons	Number of Grants
Jedburgh Abbey	6	8
Kelso Abbey	3	5
Holyrood Abbey	3	4
Dryburgh Abbey	1	4
Newbattle Abbey	1	2
Melrose Abbey	1	1
Other	1	1

Table Three. Breakdown of Patronage by House under William I.

Monastic House	Number of Patrons	Number of Grants
Melrose Abbey	20	26
Kelso Abbey	20	35
Newbattle Abbey	13	21
Dryburgh Abbey	11	25
Holyrood Abbey	6	17
Jedburgh Abbey	0	0
Other	10	19

What is first apparent from the statistics presented above is that a number of monasteries are quite clearly under-represented. Of these Jedburgh Abbey is perhaps the most notable. Here we come up against the problem of

documentary survival and the almost total loss of the Jedburgh Abbey muniments has ensured that the figures presented in Tables Two and Three cannot be regarded as a truly representative sample of the patronage of the southeastern aristocracy. However, with the figure for grants to other houses including royal foundations north of the Forth standing at twenty for the second half of the twelfth century it seems clear that the majority of grants made from within the communities established in Roxburghshire and Lothian were to the major royal monastic houses established south of the Forth. Furthermore as will be seen in Chapter Four, nearly 50% of these grants were made to houses situated either within the same immediate locality as the donor or within relatively close proximity. These figures mirror the findings made by Constance Bouchard who noted that in Burgundy the patterns of patronage tended to be local.⁴⁶ This can be put into context through investigation of the patronage received by these houses from donors established outside of the region.

Analysis of extra-regional patronage has revealed that for all of the major southeastern monastic houses, the majority of their benefactors were established in the same region. Collectively, the southeastern houses received little recorded patronage from individuals whose interests were exclusively extra-regional. The majority of benefactions received by the southeastern houses were made by individuals with a local presence or who had some connection with the region either through lordship or wider aristocratic networks. Whilst a number of these individuals had interests across several regions, their connections in the south east established them as part of the local

⁴⁶ Bouchard, *Sword, Miter and Cloister*, 200. Emma Cownie has noted a similar trend of local patronage among the smaller landholders in Anglo-Norman England, Cownie, *Religious Patronage*, 180.

framework.⁴⁷ As a consequence, the southeastern monasteries received only a low percentage of patronage from individuals with no obvious local ties.⁴⁸

The network of connections established by the fitz Alan family provided some local context for much of the extra-regional patronage received by Kelso Abbey. For example, Walter fitz Alan granted the house one acre of his land at Mow in Roxburghshire and his land within the burgh of Roxburgh with additional land being granted at Renfrew.⁴⁹ The fitz Alan connection can perhaps be seen in a grant made by Simon Locard, of the church of Symington in Clydesdale.⁵⁰ It can also be seen in the grant made by Walter de Wiston of the church in his village of Wiston with its two chapels in the near-by village of Roberton.⁵¹ Indeed in the example of Kelso Abbey, only two benefactions appear to have been made by individuals with no obvious connection with the region although they may have been connected to Kelso through its cell at Lesmahagow. Hugh Sansmanche granted the abbey his church at Morton in Nithsdale.⁵² Also in Nithsdale, the churches at Trailflat and Dungree were granted by Walcher de Carnoto.⁵³ By 1214, the majority (94%) of the lay patronage received by Kelso Abbey came from individuals who

⁴⁷ This is especially true of the family of Walter fitz Alan who held, in addition to lands in Renfrewshire and Ayrshire, numerous properties in the south east.

⁴⁸ It must be noted here that the following analysis is intended to focus upon the locality of the benefactor not on the concentration of the property of the community concerned. As such the following discussion is not intended to be an analysis of extra-regional holdings per se which is a different argument altogether.

⁴⁹ *Kelso Liber*, no. 170.

⁵⁰ *Ibid*, no. 333.

⁵¹ *Ibid*, no. 337.

⁵² *Ibid*, no. 404.

⁵³ *Ibid*, no. 344.

were either established in the same region as the community or who had at least some local connections. The abbey also received twenty-eight grants from the crown and ten grants from ecclesiastical benefactors throughout the kingdom.

Holyrood Abbey had also received the patronage of only two individuals established outside of the south east by the close of the period in 1214 and it is entirely possible that both of these grants were the result of royal coercion. Fergus, lord of Galloway granted the community the Gallovidian churches of Dunrod and Galtway along with the land of St Mary's Isle.⁵⁴ His son Uhtred also patronised the abbey granting it the churches of Colmanele (Urr), Kirkcudbright, Tongland and Kelton.⁵⁵ The abbey also received two grants from the crown and three grants from ecclesiastical benefactors. In the case of Newbattle Abbey, the network centred around the fitz Alan family coloured the grants made from outside of the region by 1214. For example, Alan fitz Walter granted the community a toft at Renfrew and a fishing in the River Clyde.⁵⁶ Indeed in the case of Newbattle, only John de Montfort, who granted the community half a stone of wax a year out of the revenues from his land in the Mearns, had no obvious connection with the south east.⁵⁷ Accordingly, 98% of the lay patronage received by Newbattle Abbey came from individuals either established in or who were in some manner connected with the south east. The abbey also received eleven royal donations and six ecclesiastical benefactions.

⁵⁴ *Holyrood Liber*, no. 49.

⁵⁵ *Ibid.*

⁵⁶ *Newbattle Registrum*, no. 178.

⁵⁷ *Ibid.*, no. 196.

The patronage of Dryburgh Abbey can be seen to have been almost exclusively southeastern in origin. Only two donations were made to the community from outside the region by 1214 and in both cases the individuals concerned had strong links with the south east. Peter de Asseby (who also held land at Lilliesleaf in Roxburghshire) granted the community the whole of his land at Ingelsberry in Lanarkshire.⁵⁸ A connection with the de Moreville family can be seen in the donation made by Alexander de Nehou who granted the abbey half a ploughgate of land at Giffen in Cunningham.⁵⁹ In addition, the abbey received eight royal grants and four ecclesiastical benefactions. Finally, Melrose Abbey received the patronage of only two individuals with no apparent ties with the region. Earl Duncan of Carrick granted the community the whole of his land at Beath in Maybole and in a later grant he added two saltpans with eight acres of land at Turnberry.⁶⁰ Roger de Skelbroke granted the abbey land on his feu at Greenan in Carrick.⁶¹ A probable fitz Alan Connection can be seen in the remaining extra-regional patronage received by the abbey.⁶² Peter de Currie granted the community an unspecified amount of land on his feu at Mauchline in Ayrshire.⁶³ The connection is also present in the grant made by Richard Wallace of land in Godney north of Mauchline and land at Barmuir in Tarbolton (also in Ayrshire).⁶⁴ Accordingly only 11% of the

⁵⁸ *Dryburgh Liber*, no. 221. For Peter at Lilliesleaf see Barrow, *Anglo-Norman Era*, 179.

⁵⁹ *Dryburgh Liber*, no. 226.

⁶⁰ *Melrose Liber*, nos. 29, 37.

⁶¹ *Ibid*, no. 31.

⁶² The fitz Alans themselves were among the abbey's most prolific benefactors, granting the monks land and fishing rights at Mauchline in Ayrshire, and land at Edmundeston and Blainslie in East Lothian. See *ibid*, nos. 4, 19, 66, 97.

⁶³ *Ibid*, no. 75.

⁶⁴ *Ibid*, no. 69.

lay patronage received by Melrose Abbey was donated by individuals with no obvious connection with the south east. In addition the community received ten grants from the crown and eight ecclesiastical benefactions.

Analysis of the extra-regional donations received by the major royal houses south of the Forth helps to put the issue of regional patronage into perspective. In the overwhelming majority of cases, the lay patronage of these houses was largely received from individuals who were either themselves established in the region or who had some form of connection with the south east. This regional bias in religious patronage accordingly formed part of the process of integration and aided the development of an aristocratic community. To this end, patronage helped to underpin emerging aristocratic networks across the region and developed ties which had formed through other associations.⁶⁵

The importance of the regionalisation of patronage in the development of aristocratic networks can be illustrated through the way in which benefactions were drawn from individuals and their families established within the various geographical communities in the sample areas. A number of examples from the benefactions made to Kelso Abbey during the reign of William I can help to illuminate this point.⁶⁶ From within Roxburghshire benefactions were drawn from individuals and families who were effectively neighbours and who were thus already tied through geographical proximity and collective activity. Importantly these individuals invested their spiritual concerns in the same religious communities and as such patronage can be viewed here as an

⁶⁵ This latter point becomes particularly relevant when the effects of localisation are discussed further in Chapter Four.

⁶⁶ A more detailed analysis of this point will be seen in Chapter Four.

example of corporate solidarity and social cohesion.⁶⁷ Kelso Abbey drew patronage from the Yetholm group consisting of Walter Corbet, Anselm de Mow, Simon de Maleverer, Geoffrey Ridel and William son of John.⁶⁸ It also drew benefactions from among the Tweeddale landholders including Bernard de Hadden and Ralph de Ver.⁶⁹

A similar situation pertained to a group of landholders established on the fitz Alan feu at Innerwick in East Lothian including, Roland of Innerwick, Robert de Kent, William de Hauceston and his son Richard, Robert Hunaud and Vincent Avenel.⁷⁰ Elsewhere in Lothian, Kelso received the patronage of a more disparate group of landholders but which still included a number of individuals from within the same geographical units. These men included Ralph I de Clere, Simon Fraser, Hugh Ridel, Everard de Pencaitland and Hervey de Keith. Ralph de Clere donated his church at Calder in Mid Lothian and regranted the church at Cambusnethan in Lanarkshire (originally granted by William Finemund).⁷¹ During the same decade Hugh Ridel granted his church at Cranston in West Lothian with its land and teinds.⁷² At a later but uncertain date, Simon Fraser granted his church at Keith Humble in East Lothian and he included in his grant pasture on his feu and the teinds of the parish.⁷³ Everard

⁶⁷ This point has been drawn out with reference to the wider Anglo-French world in Cownie, *Religious Patronage*, 9, 168, 172-76, 180; Crouch, *Image of Aristocracy*, 109; Crouch, *Beaumont Twins*, 112; Harper-Bill, 'Piety of the Anglo-Norman Knightly Class', 67.

⁶⁸ *Kelso Liber*, nos. 152-55, 359; *RRS* ii, nos. 367, 382.

⁶⁹ *Kelso Liber*, nos. 213-14, 217; *RRS* ii, no. 306.

⁷⁰ *Kelso Liber*, nos. 249-52, 255, 257.

⁷¹ *Ibid*, nos. 125, 130. The original grant of William Finemund is in I.B. Cowan, *The Parishes of Medieval Scotland* (Scottish Record Society, 1967), 25.

⁷² *Ibid*, nos. 316-17.

⁷³ *Ibid*, nos. 85, 98.

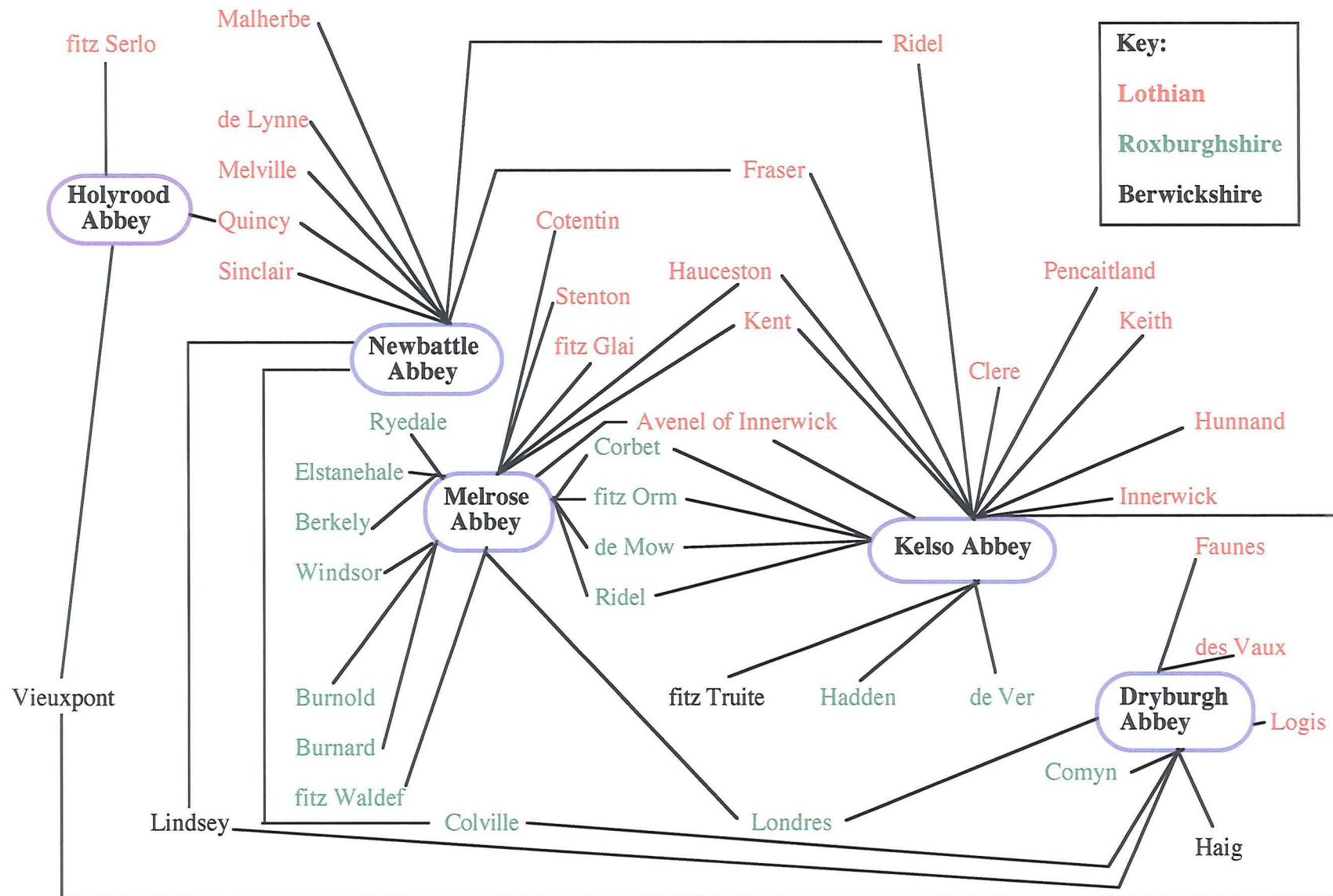
de Pencaitland also granted his East Lothian church at Pencaitland at an uncertain date.⁷⁴ Finally, the King's marischal Hervey de Keith quitclaimed to the abbey early in the reign his rights in the church of Keith Marischal and granted a pension of 20s a year.⁷⁵ Even allowing for the somewhat fragmented nature of the evidence from Lothian, Kelso appears to have drawn the majority of its non royal lay patronage during this period from within a number of local geographical communities. As such it can illuminate the development of a genuinely local society and reflect the localised aspirations and concerns of the regions elite. The abbeys of Melrose, Holyrood and Newbattle also built up a similar pattern of patronage across the sample areas and can add further illustration of the situation pertaining to Kelso. A schematic representation of this intra-regional patronage can be seen in Figure 3.1.

⁷⁴ *Kelso Liber*, no. 370.

⁷⁵ *Ibid*, nos. 95-6.

Figure 3.1. Relationships Established Through Intra-Regional Patronage

86



It is clear from the above that the whole of the southeastern region was crisscrossed by the patronage of a number of monastic houses. This phenomenon of inter-regional patronage thus helped to develop an aristocratic network in the south east through establishing ties between the local communities which had arisen out of settlement. It also gave a genuine region-wide character to an emerging aristocracy through the development of associations between individuals and a number of monastic communities. Whilst the trends of patronage in southeastern Scotland are towards diversification rather than the uniform patronage of a single house or order, this does not lessen the development of individual and communal bonds. There are few competing honorific claims to cloud the issue of religious affiliation and the networks of patronage which developed during the twelfth century are more reflective of the motivating factors of locality than the structures of lordship and territorial status.⁷⁶ Ultimately patronage can reveal much about the structure of southeastern society, developing the argument for a local focus of concerns arising out of geography and local action through the impact of religious affiliations.⁷⁷ A related point is the marked concern for the family and kinship groups revealed in *pro anima* requests which would be developed further through emerging aristocratic lineages and the confirmation of grants by heirs. The monastic houses in southeastern Scotland were thus part of a developing network of social and personal relationships which created and reinforced individual and communal ties helping to define groups and enforce social cohesion across the whole southeastern region.⁷⁸

⁷⁶ See the argument regarding the influence of lordship on patronage in Anglo-Norman England developed in Cownie, *Religious Patronage*, 172-184.

⁷⁷ The impact of more local concerns and ties will be discussed in detail in Chapter Four.

⁷⁸ See Barbara Rosenwein's comments on social cohesion and the patronage of Cluny Abbey, Rosenwein, *To be the neighbour*, 48. Also Cownie, *Religious Patronage*, 208-09.

Religious Patronage and the Local Community

As suggested in the previous chapter, patterns of patronage from southeastern Scotland were neither uniform nor consistent, yet their very diversity was largely confined within a regional framework which contained an important element of locality. The investigation of patronage within a local context reveals an identification of religious concerns with local monastic communities which has some important implications for the development of local attachments and community ties. At the level of the local community, mutual ties of patronage were an important and characteristic element of local society, reinforcing the connections which had arisen out of geographical considerations. As such, the links created through patronage were an integral part of the web of relationships which bound local society together. The examination of local patterns of patronage also suggests that their social implications operated upon a number of different levels reflecting the differentiation of local society. Within the framework provided by the local community, the following analysis will examine patronage from the perspective of local lordships and individual family groups. The patterns of patronage which developed within these different levels of society reflect the way in which religious affiliations contributed to the integration of local groups within specific geographical boundaries.

In general it can be argued that patronage reflects a mixture of factors including regionalisation, locality, the influence of royalty and personal preferences. Locality in particular can be seen to have been a strong motivating factor in what can be labelled the politics of choice. For example,

during the period 1165-1314, Melrose Abbey established on the River Tyne in Roxburghshire received the patronage of eleven Roxburghshire landholders and their families in a total of fourteen grants. Included within this number were some important local families such as Corbet, Eyndale, Windsor and Otun (later the John or Howson).¹ During the same period, Kelso Abbey (also established on the Tyne) received nine grants from eight individuals and their families established in the local area including Corbet, Mow and Hadden.² Physical proximity and a familiarity with the houses in question would almost certainly have played a role in facilitating individual choices. However, one must maintain an element of caution in any analysis of the importance of local factors alone. By and large the smaller landholders within the sample areas did not patronise the female houses and private foundations south of the Forth. In short, it is not possible therefore to develop a picture of patronage from within the region which is truly representative of the experience of every religious community established during the period in question. This important factor accordingly somewhat limits the argument for locality alone and illustrates the particular drawing power of royal institutions. As always, any attempt to examine local patterns must also take into account the problem of documentary survival. In particular as noted in Chapter three, the almost complete loss of the Jedburgh Abbey muniments ensures that it is virtually impossible to build a picture based on meaningful statistics.

Furthermore, not all southeastern landholders and their families were of equal statistical significance. As noted in Chapter Two there was a hierarchy within the landholding classes and one can clearly differentiate between individuals

¹ See, *Melrose Liber*, nos. 113-14, 116, 127, 129, 131, 167.

² For examples see, *Kelso Liber*, nos. 152-55, 205-06, 359.

who were predominantly local and those individuals who had wider regnal significance. This latter group included men such as Richard and William de Melrose, Robert and Saer de Quinry, Philip de Valognes, John and William de Warr, Walter fitz Alan, Hugh and William Giffard, Hervey and David Melroth, Henry Lovel, the Melville family and Alexander de St Martin. All of these individuals were either substantial landholders elsewhere in Scotland or were figures of more regnal importance through the holding of office or service at court. As such these individuals made quite wide ranging donations across a number of houses which reflect their wider landed interests and importance. Thus for example, the Giffards who held land in Angus and Perthshire as well as Lothian used property from north of the Forth to patronize St Andrews Cathedral.⁵ The family also used land from their Lothian estates to become benefactors of Newbattle Abbey.⁶ Richard de Moreville not only patronized Melrose and Dryburgh but also became a benefactor of Glasgow Cathedral.⁷ On a slightly less elevated plane Philip de Melville granted Arbroath Abbey land in the Meams (his family had earlier endowed Dunfermline Abbey with the Church of Melville) whilst Henry Lovel became a patron of St Andrews Cathedral.⁸ As noted by Emma Cownie with reference to patronage in Anglo-Norman England, important individuals tended to be generous benefactors of houses in a number of areas as a reflection of their relative wealth and status.⁹

⁵ *RRS ii*, nos. 202, 358.

⁶ *Ibid.*, no. 296.

⁷ *Glasgow Registrum*, no. 44.

⁸ These grants are detailed in *Dunfermline Reg*, nos. 100, 133; *St Andrews Cart*, no. 261; *Arbroath Liber*, no. 93.

⁹ Cownie, *Religious Patronage*, 180.

Finally not all predominantly local individuals exclusively patronised the houses in their immediate environs. Using an example drawn from Lothian it can be seen that whilst 40% of more locally based individuals made exclusive donations to houses established in Lothian, a further 35% made donations to houses established in both Lothian and Roxburghshire and a further 25% were benefactors of houses established in Roxburghshire alone. Clearly physical proximity, whilst retaining a strong motivating influence on individual choices, cannot be treated in isolation. The relatively high percentage of extra-county patronage from across the region as a whole requires further explanation and must include the connected elements of wealth and status. Furthermore extra-county patronage introduces the important issue of royal connections as a motivating factor behind patterns of patronage from across the whole southeastern region.

The influence of royalty and royal favour in attracting patronage cannot be underestimated. Whilst the Scottish parallels cannot be drawn exactly, the evidence from the south east shows a correspondence with Emma Cownie's discussion of the subject and highlights the particular drawing power of royalty and royal favour as a motivating factor which could cut across local and regional boundaries.⁸ All of the major foundations continued to enjoy royal favour down to the close of the period in 1214.⁹ The underlying importance of this can be suggested in the amount of *pro anima* requests from the region

⁸ The southeastern houses received the patronage of both local figures and individuals with more regnal importance from outwith the area including important court figures, a situation which mirrors Cownie's findings for the patronage of Gloucester Abbey during its years of growth from near impoverishment to wealth and influence under the impact of royal favour post 1066. See Cownie, *Religious Patronage*, 56-57.

⁹ The number of royal grants has been detailed in Chapter Three. Kelso and Melrose received the most royal favour with both houses continuing to receive the patronage of William I after he had made his only foundation at Arbroath in 1178.

which include the king and the royal family. Sixty-one charters from the south east included royalty in their *pro anima* requests, a figure which represents 41% of the sample of one hundred and forty-seven charters.¹⁰ This relatively high level of concern for royalty in southeastern charters can be linked to the evidence of patronage from Lothian where 71% of the total sample of landholders patronised a number of royal foundations across the whole of the southeastern region and where 55% of the more locally based landholders patronised the important royal foundations of Melrose and Kelso in Roxburghshire.

Royal connections and royal favour could be as strong a motivating force behind patronage as locality. The influence of royalty is especially relevant to Lothian from where benefactions were more widely spread across the region than in the model presented by Roxburghshire. In Roxburghshire patronage tended to be concentrated upon the important communities at Melrose and Kelso. The patronage from Lothian by way of a contrast was dispersed across all of the major royal houses established south of the Forth with over 50% of benefactions being made to the houses established on the River Tweed. Furthermore there were a number of small female priories in Lothian which by and large did not attract benefactions from within their immediate locality. However, the claims for the importance of royal connections does have its limitations. Haddington Priory was a royal foundation (Cistercian nunnery) but did not attract many benefactions from its immediate neighbours. Furthermore the limitations of royal favour can be illustrated in the example of Dunfermline

¹⁰ See Chapter Three, 80. This figure represents a relatively high level of concern for royalty in the charters from southeastern Scotland. The Scottish evidence is in stark contrast to the survey carried out by Emma Cownie who found that only twenty-six Anglo-Norman charters, 14% of a sample of one hundred and eighty-five charters included royalty in *pro anima* requests, Cownie, *Religious Patronage*, 155.

Abbey. This older Benedictine house has particular relevance to the Lothian community given its relative closeness to the region on the north bank of the Forth. Dunfermline had long standing royal connections and was the burial place of both King David and King Malcolm IV. Yet in general it failed to attract benefactions from individuals established in the south east. The only individuals established in Lothian who patronised Dunfermline were Geoffrey de Melville who granted his church at Melville, Robert and Saer de Quincy who granted land at Beeth in Tranent, and Alexander de Seton who also granted the community a portion of his land at Beeth.¹¹ Only a single landholder from Roxburghshire can be positively identified as having patronised Dunfermline Abbey. Robert de Londres granted the monks a toft on his feu at St Boswells at an unspecified date during the reign of William I.¹² In general, Dunfermline drew the majority of its patronage either from the royal family or from landholders established in Fife. As such, the example of Dunfermline Abbey corresponds to the argument for locality as a focus for pious concerns. Of course there may have been other factors which determined the flow of benefactions such as the basic practicalities of the management of outlying estates. Yet in the final analysis the evidence from the south east as a whole suggests that the most dedicated benefactors of the region's houses were drawn from their environs, reflecting the concerns and aspirations of the local élite.

Within the context of southeastern patronage as a broadly local phenomenon, benefactions had some important implications for the development of local

¹¹ The Melville grant is detailed in *Dunfermline Registrum*, nos. 100, 158. The de Quincy grants are detailed in *ibid*, nos. 155-57. The grant made by Alexander de Seton is detailed in *ibid*, nos. 177-78.

¹² *Ibid*, no. 48.

identities. Benefactions formed a series of dynamic relationships between individual benefactors and their recipient houses which can be analysed through the impact of patronage on families across a number of generations. The more recent historiography of the subject has recognised the extent to which benefactions acted as a bond between an individual religious house and its donors' families through a number of generations.¹³ In this context, patronage in its collective sense was made up of a series of relationships in which benefactions, disputes, confirmations and re-grants testified to living relationships which became part of the history of emerging family lineages. Individual families tended to support the same churches over the generations. The descendants of an original donor or patron accordingly tended to make gifts to the same house. This awareness of family tradition can be illustrated through confirmations and additions made to predecessor's benefactions.

A number of examples can reveal how within specific geographical communities benefactions to a particular religious house became part of the tradition of emerging family lineages. The following analysis will accordingly look at evidence from the various local communities established within the sample areas. Of course a number of these examples are simply confirmations *in puram elemosinam* and may represent nothing more than a family's attempts to maximise a spiritual return from a rather limited initial investment. In short, the individuals concerned may not have had the capital resources to grant further property to their recipient houses. Furthermore the additional grant of churches and or tiends may have been conditioned, as suggested in Chapter Two, by increasing clerical hostility to lay possession rather than

¹³ See Bouchard, *Sword, Miter and Cloister*, 148-50; Cownie, *Religious Patronage*, 173; Rosenwein, *To be the neighbour*, 4.

revealed an on going relationship with a given house. Yet the fact that such grants, confirmations and additions etc were made to specific houses is significant and can illustrate how patronage involved individual families in a series of living relationships with their recipient houses which extended across the generations.

In East Lothian, Thomas de Morham confirmed all of the grants made by his parents to Newbattle Abbey and added the mill pond and marsh at Morham to his father's grants.¹⁴ At nearby Hales, Adam Fraser confirmed and re-granted the donations his uncle Oliver fitz Kyle had made to Newbattle of land on his feu at Hales in Bearford.¹⁵ Adam also made an additional grant to the house of half a ploughgate of land adjacent to the land granted by his uncle with a further ploughgate at Nether Hales and pasture for one hundred sheep.¹⁶ In his turn Laurence Fraser confirmed all of the grants made by his great uncle and his father at Hales and Nether Hales.¹⁷ At Innerwick, Helen, the daughter of Robert de Kent and her husband John de Montgomery, re-granted her father's benefactions to Kelso Abbey of half of his land and wood in the village.¹⁸ Two more examples from East Lothian are both straight confirmations. Thomas de Morham and his wife Ela de St Martin confirmed her father Alexander's grant to Newbattle Abbey of his peatmoor on Cumbrestrother Moor, whilst Walter de Pencaitland confirmed his father's grant to Kelso Abbey of the church of Pencaitland along with the teinds of the

¹⁴ *Newbattle Registrum*, nos. 87, 100.

¹⁵ *Ibid*, nos. 74, 76.

¹⁶ *Ibid*, no. 77.

¹⁷ *Ibid*, no. 78.

¹⁸ *Kelso Liber*, no. 251.

parish.¹⁹

In the south east of Roxburghshire, William son of John confirmed his father's grant of Hownam Grange to Melrose Abbey and later added land at Rushy Fell for the building of a family chantry.²⁰ At nearby Mow, the grants made to Kelso Abbey by Anselm de Mow were confirmed by his daughters, Matilda and Isolda. Furthermore, Isolda and her husband Alexander fitz William also added a bovat of land at Mow to her father's grants of land and pasture.²¹ In Tweeddale, Robert de Londres confirmed the grants made by his uncle Thomas to Dryburgh Abbey and added the church of St Boswells.²² Finally, Bernard fitz Brian's grants to Kelso Abbey of a ploughgate of land in Hadden with a toft and ten acres were later confirmed by his nephew and heir Bernard de Hadden who also added half a ploughgate of land of his own to his uncle's grants with rights in his mill at Redden.²³ These examples could be multiplied from across the southeastern region.

As noted above, the fact that the individuals concerned choose to confirm, re grant and add to the benefactions of their forebears is significant and suggests that a constituent part of inheriting a landholding was an interest in a monastic house patronised by the family. Support for local monasticism was an essential part of aristocratic life and the confirmations and re-grants of heirs perpetuated

¹⁹ The confirmation granted by Thomas de Morham and his wife is detailed in *Newbattle Registrum*, nos. 100-01. The confirmation of Walter de Pencaitland is detailed in *Kelso Liber*, no. 369.

²⁰ *Melrose Liber*, nos. 130-31.

²¹ *Kelso Liber*, nos. 156, 158, 162, 177.

²² *Dryburgh Liber*, nos. 53-54, 56, 59.

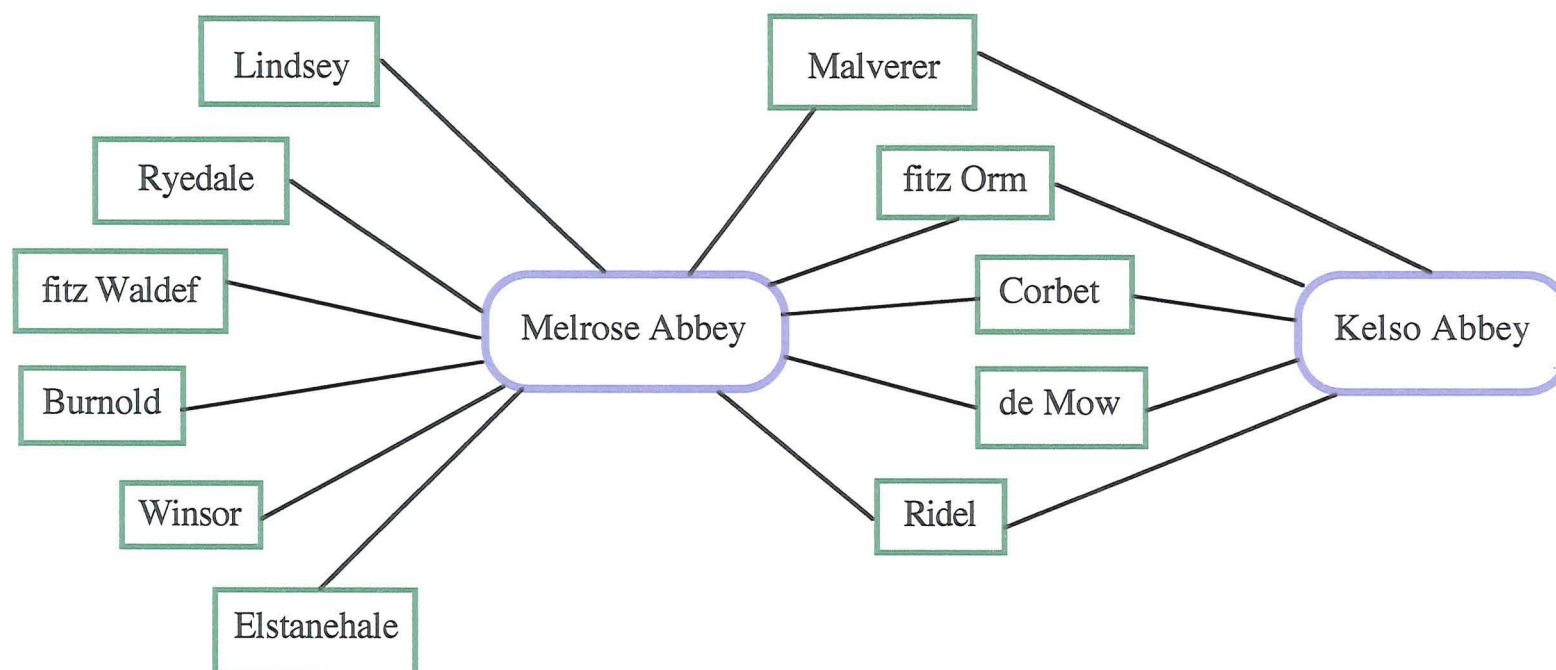
²³ *Kelso Liber*, nos. 205-06, 213.

and developed a family's relationship with a given monastic community. With close parallels to a wider Anglo-Norman and Continental world, monasticism in southeastern Scotland flourished to a large degree because support of the local monasteries became part of emerging family tradition.

So far analysis has looked at patronage only in terms of local motivation and its implications for individual and family identity. An attempt must be made to examine its implications within specific geographical locations. The simple fact that individuals were patrons of the same religious houses does not give them any meaningful association in itself. What is significant about these benefactions is that across a number of generations individuals within specific geographical locations were becoming identified with the same religious houses and that moreover many of these affiliations were decidedly local. Mutual ties of patronage helped to develop a common identity among neighbours which could be expressed through religious affiliations, locality and a common sense of belonging to a wider community centered upon the king. A good series of examples which can illustrate the instances of common patronage can be found in eastern Roxburghshire among the landholding community established along the parallel valleys of the Rivers Kale and Bowmont. The initial development of patronage in this area was slow with only an isolated number of benefactions being made during the reign of Malcolm IV. However, during the following reign, the number of donations made from the area began to increase slowly forming a further layer of association to those already formed through proximity, marriage and tenurial relationships.²⁴ For a schematic representation of the mutual ties of patronage established in the Yetholm area, see Figure 4.1.

²⁴ For an outline of when individuals were established in the area see Chapter Two.

Figure 4.1. Patronage Ties in the Yetholm Area



Along the valley of the Kale Water, Patrick de Ryedale and his son Walter granted Melrose Abbey an unspecified amount of land at Whitton on the borders of their feu near Morebattle, a benefaction which was followed by a number of the more minor landholders established within the boundaries of the modern Whitton parish.²⁵ Geoffrey fitz Waldef made two donations to the abbey in which he granted four bovates and thirteen acres of his land at Whitton.²⁶ Robert Burnold also granted the abbey land in the area of Whitton totalling twenty acres.²⁷ John son of Orm, whose feu at Hownam was on the east bank of the Kale Water south east of Whitton, granted the abbey land at Hownam for the monks to have a grange, whilst later his son William granted the abbey the land of Rushey Fell at the southern end of Hownam to build a chantry for his family.²⁸

The landholders established along the Kale Water were joined in the patronage of Melrose Abbey by those established to their east along the valley of the Bowmont Water. Walter Corbet and his brother Robert granted the abbey an unspecified amount of their land at Clifton situated just over a mile from their *caput* at Yetholm.²⁹ A similar donation was made by Walter de Windsor who also granted the community an unspecified part of his land at Clifton.³⁰ Geoffrey Ridel granted the abbey two bovates of his land at Primside situated

²⁵ *Melrose Liber*, nos. 116, 167.

²⁶ *Ibid*, nos. 156, 158, 160.

²⁷ *Ibid*, nos. 152, 154.

²⁸ *Ibid*, nos. 127, 129, 131.

²⁹ *Ibid*, nos. 113-14.

³⁰ *Ibid*, no. 116.

to the west of Clifford.³¹ An Elizabethan, Ulric and his son Simon made a donation to the abbey of an unspecified part of their land (three miles down the River from Clifford).³² Lastly, Anselm de Mow donated to the abbey the whole of his pasture at Mow along with hay, wood and half a poroughtage of land in the village with common pasture.³³

During the same period 1190 to 1198 Kelso Abbey also attracted the patronage of a number of the landholders established in the area. Anselm de Mow, Walter Corbet and Geoffrey Ridel all made donations to Kelso which added an additional layer of religious ties to those established through their patronage of Melrose Abbey. Anselm de Mow made a number of donations to Kelso Abbey, granting the monks pasture on his feu at Mow for seven hundred sheep and one hundred work animals along with wood and pasture in the east of his feu with one acre of arable land and the teinds of his mill in the village.³⁴ Walter Corbet granted the abbey the whole of his land at Coldsmouth situated just over the modern border in Northumberland.³⁵ Geoffrey Ridel granted the abbey a toft with pasture for twenty-four cows at Primside.³⁶ Simon de Malverer and his wife Cecilia de Mow also became benefactors of Kelso granting the abbey a toft and croft at Mow along with

³¹ *Melrose Liber*, no. 147.

³² *Ibid*, no. 119.

³³ *Ibid*, nos. 133-35, 137.

³⁴ *Kelso Liber* nos. 152-55. As seen above, Anselm's daughter Isolda and her husband also donated a bovaté of land at Mow to Kelso after her father's death, *ibid*, no. 177.

³⁵ *Ibid*, no. 359.

³⁶ *Ibid*, nos. 367-68.

twenty acres of land and pasture for three hundred sheep and twenty cows.³⁷ Within the same community, patronage also added to the relationships formed between several of the families who had marriage ties. The families of de Epsala and Corbet had been joined through marriage when William de Epsala (younger son of Patrick) married Matilda, the sister of Walter and Robert Corbet and this relationship was developed further through a mutual patronage of Melrose Abbey.³⁸ In a similar fashion, Simon de Malverer was associated further with his wife's family through his patronage of Kelso Abbey. His benefactions added a religious connection to the relationship between himself and his wife's family as his mother-in-law, Eschina de Londres had also made a number of donations to the house. Eschina's grants included a toft and two bovates of land with pasture for seven hundred sheep and one hundred and twenty work animals.³⁹ Within the Yetholm area therefore, a number of individuals shared a common patronage of the monastic houses situated nearby on the River Tweed. Among neighbours such patronage would have helped develop a common identity among them. Furthermore, as seen in Chapter Two, the individuals concerned also witnessed each others endowments. This point is important for it illustrates how such individuals could have become associated with each others benefactions beyond the simple fact of patronage itself.⁴⁰

A more fragmented pattern can be seen within the community established along the line of the River Tweed as seen in Figure 4.2.

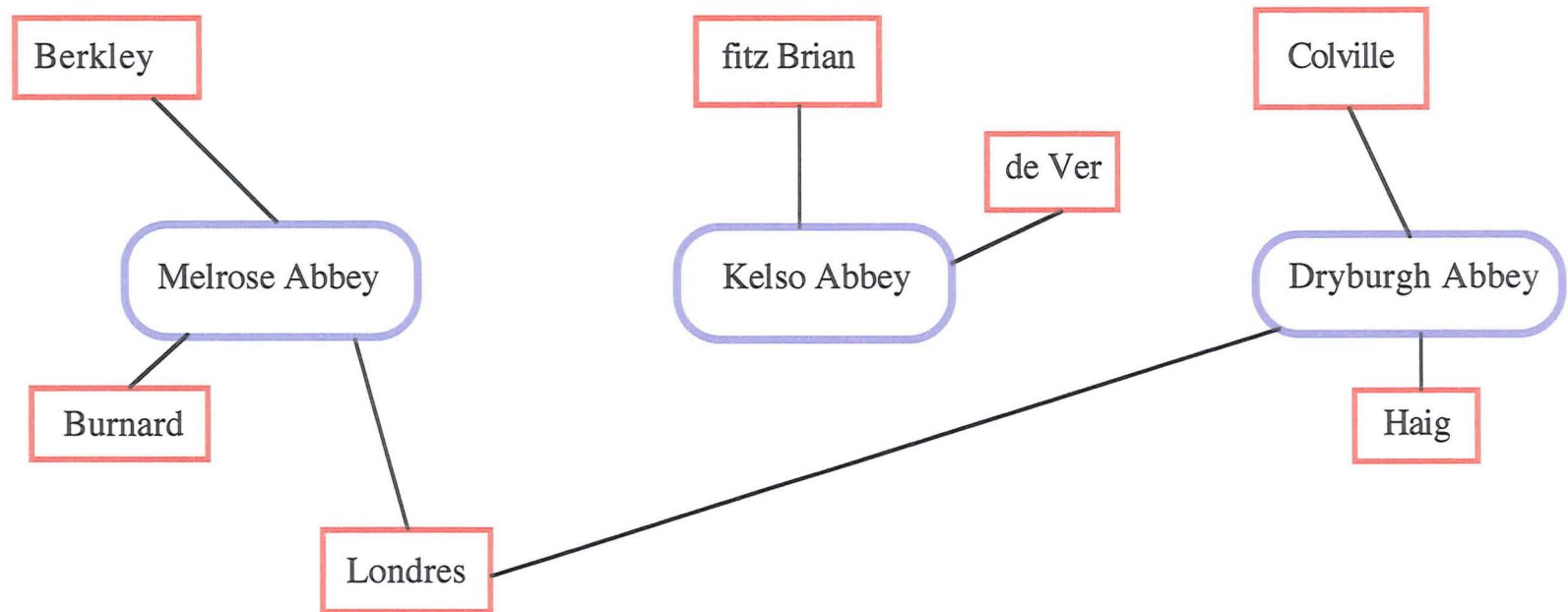
³⁷ *Kelso Liber*, nos. 148, 150-51.

³⁸ See above, 111.

³⁹ *Kelso Liber*, nos. 166, 178.

⁴⁰ For a detailed analysis of the witnessing patterns in the Yetholm area see above, 60-62.

Figure 4.2. Patronage Ties in Tweeddale



As at Yetholm the initial rate of endowment from this area was slow but began to increase during a ten year period between 1136 and 1191. As within the environs of Yetholm, near neighbours from along the line of the River Tweed can be seen sharing a common patronage of the same religious communities. Robert de Bembely and his wife Cecily granted Melrose abbey one ploughgate of land at Mazon with common pasture and the right to quarry stone on their land.⁴¹ On the neighbouring feu of St Boswells, Robert de Londres granted the abbey half a ploughgate of land.⁴² Lastly at nearby Fairmington, Roger Bernard donated to the abbey one bovate of his land with the right to cut peat on his moorland.⁴³ At the eastern end of the community, the patronage of Kelso Abbey created an additional association between the neighbouring landholders Bernard fitz Brian and Ralph de War. Bernard fitz Brian granted the abbey ten acres of his land at Hadden which was added to by his nephew Bernard who donated a further half a ploughgate with pasture and the wind of his mill at Redden.⁴⁴ Ralph de War granted the abbey one bovate of land on his feu at Sprouston.⁴⁵ Three further Tweeddale landholders were associated through a common patronage of Dryburgh Abbey. Philip de Colville granted the abbey two bovates of land on his feu at Heiton whilst Peter de Haig granted the canons two bovates of land and a dwelling on his feu at Bemersyde with an unspecified amount of land in his wood at nearby Threepwood. Finally, Robert de Londres granted the abbey the church of St Boswells and the chapel of

⁴¹ *Melrose Liber*, no. 90.

⁴² *Ibid*, no. 88.

⁴³ *Ibid*, nos. 87-88

⁴⁴ *Kelso Liber*, nos. 213, 217.

⁴⁵ *Ibid*, nos. 23, 215.

nearby Newtown.⁴⁶ Whilst not as comprehensive as the evidence from Yetholm, these Tweed Valley benefactions can provide further illustration of how common patronage could help to develop a shared sense of identity among neighbours especially when the charters of endowment involved the attestation of the local community itself.⁴⁷

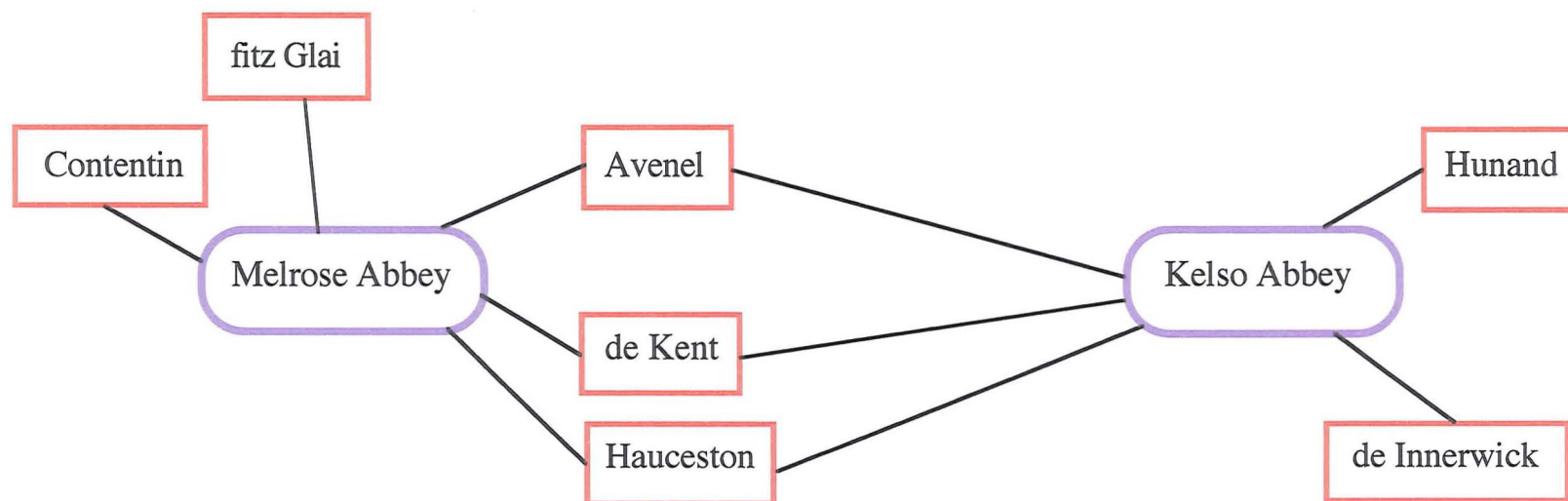
The patterns of patronage among the more local landholders established in Lothian are broadly similar to those seen in Roxburghshire. A good series of examples which can provide illustration of this can be found on the East Lothian feus of the community established at Innerwick. Within this area, a pattern of common patronage can be charted through the benefactions made by a number of individuals to Melrose and Kelso during the period 1180 to 1190.⁴⁸ A schematic representation of these relationships can be seen in Figure 4.3.

⁴⁶ Philip de Colville's grant is detailed in *Dryburgh Liber*, no. 225. The grant made by Peter de Haig is detailed in *ibid*, no. 133.

⁴⁷ The Melrose grants given above have already been discussed in Chapter Two as examples of how the local community could work together in providing approbation to issues of local importance.

⁴⁸ As with the communities in Roxburghshire there was no significant patronage from the Innerwick area before 1180.

Figure 4.3. Patronage Ties in the Innerwick Area



Melrose Abbey received part of Roger fitz Glai's land and wood at Innerwick, a grant in which he was joined by his cousin Vincent Avenel.⁴⁹ The abbey also received a donation of one ploughgate of land from Robert de Kent.⁵⁰ William and Richard de Hauceston granted to the abbey a sixth part of their land and wood, whilst Nicholas de Cotentin made a donation of an unspecified part of his land on the Innerwick feu.⁵¹ Kelso Abbey also received a number of benefactions from within the Innerwick community. Robert Hunand granted Kelso abbey an unspecified amount of his land and wood in the area.⁵² William and Richard de Hauceston also made a donation of an unspecified amount of their land.⁵³ Robert Avenel and his son Vincent granted the abbey a sixth part of their land and wood.⁵⁴ Lastly, Robert de Kent and Roland de Innerwick (the son-in-law of Nicholas de Cotentin) also made benefactions to Kelso. Robert granted the monks half of his feu at Innerwick, whilst Roland made a donation of an unspecified amount of his land and wood.⁵⁵ From within this area only Nicholas de Cotentin appears to have patronised a community other than Melrose or Kelso when he granted a ploughgate of his land to Paisley Abbey.⁵⁶ Common patronage accordingly helped to develop the communal identity of the individuals settled at Innerwick. As in Roxburghshire, the

⁴⁹ Roger fitz Glai's grant is detailed in *Melrose Liber*, nos. 60, 62. The grant made by Vincent Avenel is detailed in *ibid*, nos. 61-62.

⁵⁰ *Ibid*, no. 59.

⁵¹ *Ibid*, nos. 61-62.

⁵² *Kelso Liber*, nos. 249, 256.

⁵³ *Ibid*, nos. 251, 253.

⁵⁴ *Ibid*, nos. 252, 257.

⁵⁵ Robert de Kent's grants are detailed in *ibid*, nos. 255-56, 258. The grant made by Roland de Innerwick is detailed in *ibid*, nos. 250, 256.

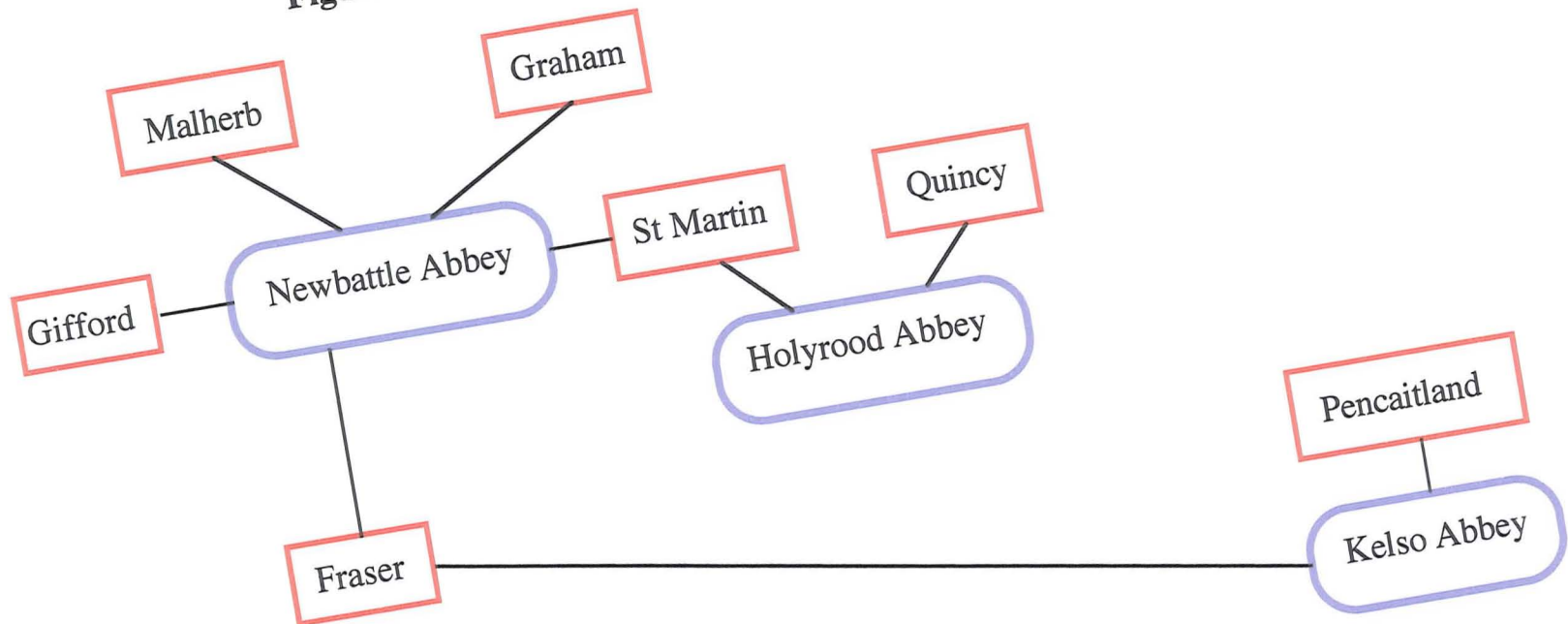
⁵⁶ *Paisley Registrum*, no. 116A.

individuals concerned were associated with each others grants through witnessing. Furthermore the sense of communal identity is strengthened at Innerwick through a number of charters which detail the joint benefactions of several individuals.⁵⁷ Accordingly common patronage within the Innerwick area was an important expression of the social cohesion and solidarity of a developing community.

The situation elsewhere in Lothian was more fragmented but significant patronage ties can be traced from an examination of the available evidence and illustrated through analysis of the patterns of patronage from the community established in the Haddington region. A schematic representation of these relationships can be seen in Figure 4.4.

⁵⁷ *Kelso Liber*, nos. 251, 256.

Figure 4.4. Patronage Ties in the Haddington Area



Between 1185 and 1195 Newbattle Abbey drew the common patronage of five of the landholding families established in the area. John de Malherb granted the abbey his mill at Morham and land on his feu at nearby Duncanlaw. He also agreed to contract the marches of his feu over which he had been in dispute with the monks.⁵⁸ His son Thomas granted the house the right to make a stank.⁵⁹ To the east of Morham, Oliver fitz Kyle granted the abbey one ploughgate of land at Hailes along with pasture for three hundred sheep.⁶⁰ This grant was confirmed by his nephew and heir Adam Fraser who also added half a ploughgate to the original grant and in addition donated one ploughgate at Nether Hailes with pasture for one hundred sheep.⁶¹ Henry de Graham and his brother Peter granted the abbey the land called Balneboth on their feu at Cousland.⁶² Alexander de St Martin also made a donation to the abbey of his peatry on Cumbrestrother moor in Athelstaneford.⁶³ Finally, Hugh Giffard granted the abbey the land (later) called Monkrigg on his feu at Yester.⁶⁴

The patronage of Holyrood Abbey provided a mutual association to two of the more important landholders in the area. Both Alexander de St Martin and Robert de Quincy made donations to Holyrood. Alexander granted the abbey half a merk of silver a year from the ferm of his mill at Athelstaneford, whilst

⁵⁸ *Newbattle Registrum*, nos. 86, 90, 98.

⁵⁹ *Ibid*, nos. 87, 100.

⁶⁰ *Ibid*, no. 73.

⁶¹ *Ibid*, nos. 76-77.

⁶² *Ibid*, nos. 7-8.

⁶³ *Ibid*, no. 101.

⁶⁴ *Ibid*, no. 81.

the de Quincy family made a number of benefactions to the house including Robert's grant of a ploughgate of land and ten acres at Tranent.⁶⁵ The abbey also received the patronage of Robert's son Saer who confirmed his father's grants and also quitclaimed to the canons his rights in Tranent church along with a grant of land at Longniddry in East Lothian.⁶⁶ The picture at Haddington was completed through the patronage of Kelso Abbey which drew donations from two of the landholders established in the area. Everard de Pencaitland granted the abbey his church at Pencaitland, whilst Simon Fraser granted his church at Keith Humbie with pasture in his woods at Keith and the teinds of the parish.⁶⁷

Of the Haddington landholders who became benefactors, only the Vaux family had no patronage ties to other members of their local community. At an uncertain date during the 1190s, William de Vaux granted the church of Eldbottle in Gullane along with a toft and twenty acres of land in the village to Dryburgh Abbey.⁶⁸ The answer to this apparently aberrant de Vaux patronage must lie either in lordship ties (through connections in Cumbria) or in the dictates of personal choice. Of course the Haddington evidence is not as clear as the examples presented from Innerwick or eastern Roxburghshire and many of the areas landholders such as Giffard, Quincy and Fraser had major landholdings elsewhere (in the case of the Quincy's these amounted to substantial holdings north of the Forth and in England). Yet with the exception of William de Vaux and allowing for the somewhat fragmented nature of the

⁶⁵ *Holyrood Liber*, no. 37.

⁶⁶ *Ibid*; *RRS* ii, no. 479.

⁶⁷ *Kelso Liber*, nos. 85, 98, 370.

⁶⁸ *Dryburgh Liber*, nos. 23, 26-27, 104.

evidence, the patterns of patronage from the Haddington area can provide additional insight into the way in which associations between individuals and families could be developed through the common patronage of local religious houses.

Consideration needs to be given to the issue of patronage and individual lordships/honorial communities. The consequences of religious patronage within the framework of feudal lordship has coloured the majority of the recent historiography of the subject. Concern has focused upon lordship as a channel for lay piety and a number of commentators have concluded that patterns of patronage were determined by a combination of landholding patterns and feudal bonds.⁶⁹ As such patronage has been analysed as an expression of corporate solidarity within lordships with competing honorial claims, where they existed, having concomitant effects on this expression. Whilst this approach is not of general relevance in southeastern Scotland tenurial relationships clearly had a role to play in establishing social cohesion within those social units which did correspond to the honorial stereotype. Within the Lauderdale group and the Dunbar nexus which together included a substantial number of dependents and kin, a number of landholders were identified with their lords interests through the patronage of Dryburgh, Melrose, Coldstream and Coldingham. For example from within the Moreville lordship, Peter de Haig, Henry de Logis, William fitz Robert, Thomas de Thirlestane and Adam Gordon all followed their lords in the patronage of Dryburgh Abbey.⁷⁰

At Innerwick in East Lothian, the benefactions made to Melrose Abbey by a

⁶⁹ See Cownie, *Religious Patronage*, 9, 168, 172-76, 180; Crouch, *Image of aristocracy*, 109; Crouch, *Beaumont Twins*, 112; Harper-Bill, 'Piety of the Anglo-Norman knightly class', 67.

⁷⁰ See *Dryburgh Liber*, nos. 128-9, 133-4, 176-8, 181, 195-6.

number of individuals may be put into perspective by tenurial relationships. As noted in Chapter Two, a community had been established in the area by Walter fitz Alan from land granted to him by David I. Fitz Alan patronage of Melrose Abbey, which included land at Mauchline in Ayrshire was substantial and may have lain behind the patronage of a number of the more minor landholders established in the Innerwick area.⁷¹ The benefactions made by these individuals have already been discussed in some detail above. Therefore it remains in this context to note that the donations made by William and Richard de Hauceston, Roger fitz Glai, Robert de Kent and Nicholas de Cotentin may have been orchestrated as an expression of fitz Alan lordship. Judicious use of patronage could be an effective means of binding tenants to an honor or lordship through identifying individuals with their lords interests and concerns. In this context the copying by tenants of their lord's generosity could be instrumental in developing the cohesion and solidarity of a lordship group.⁷²

A similar situation may pertain on the de Ryedale lordship at Whitton in Roxburghshire. The grants to Melrose Abbey made by Patrick de Ryedale and his son Walter were followed by the donations of a number of the more minor landholders settled on the feu. Once again these grants have been discussed above and it remains to suggest that the donations made by Geoffrey fitz Waldef, Robert Burnold and Anselm de Mow were part of a conscious strategy to identify the tenants with their lord's benefactions and add depth to the integrity of the de Ryedale lordship. Certainly in the available examples both patronage and tenure appear to have been part of the development of lordship.

⁷¹ For a number of examples of fitz Alan patronage see *Melrose Liber*, nos. 4, 46, 66, 74.

⁷² Crouch has suggested that patronage played an important role in the stabilisation of power within a lordship through identifying individuals with their lords benefactions and he illustrates this with the example of Robert de Beaumont, the earl of Leicester in his honor of Breteuil in Normandy. *Ibid*, 112-13.

Yet a note of caution must be sounded regarding the ubiquity of patronage and tenurial bonds. Not all tenants followed their lord's example. From within the Innerwick community for example, only Nicholas de Cotentin patronised the fitz Alan foundation at Paisley in Renfrewshire.⁷³ Not all Lauderdale tenants patronised Moreville interests. For example Peter de Haig, although he patronised Dryburgh, did not follow the Moreville example and become a benefactor of Melrose even though it lay just across the Tweed from his *caput* at Bermersyde. In a similar fashion William de Sinclair became a benefactor of Newbattle Abbey rather than follow the apparent interests of his Moreville lords.⁷⁴ Religious affiliation did not in all cases coincide exactly with tenurial landholding patterns or relationships. This significant point suggests that individuals had more freedom over the alienation of their property than a strictly feudal interpretation of patronage would allow.⁷⁵ As such patronage cannot simply be characterised as an extension of tenure and dependence. Whilst individual examples can illuminate the cohesion and strength of identifiable lordships, the wider significance of patronage and property alienation reinforces the suggestion that tenurial relationships were only one of a number of elements which characterised local society and communal identity.

Behind all of the elements involved in patronage, therefore, lies choice and the freedom to alienate property as seen fit by the donor. As such the regional bias in the patronage of the southeastern landholders signifies a degree of cultural and spiritual assimilation to the adopted land which has some important

⁷³ Nicholas granted Paisley one ploughgate of his land at Innerwick, *Paisley Registrum*, no. 116A.

⁷⁴ *Newbattle Reg*, nos. 181-2.

⁷⁵ See Reynold's discussion of the rights of property alienation, Reynolds, *Fiefs and Vassals*, 55-7. Paul Dalton also discusses the relative freedom of tenants to alienate their property in Yorkshire, P. Dalton, *Conquest, Anarchy and Lordship in Yorkshire* (Cambridge, 1994).

implications for the identity of individuals and the development of geographical communities. Accordingly the issue of common patronage illustrates that for the majority, religious concerns played an important role in the colonisation and stabilising of power in southeastern Scotland which should not be ignored. Of course this should not automatically lead to the assumption that individuals had lost touch with the homeland and the existence of individuals with genuinely international aspirations should not be played down.⁷⁶ As such there were a number of instances of cross border patronage but these were as likely to involve the endowment of a lords non Scottish property north of the border as they were grants to English houses.⁷⁷ Furthermore, the individuals who continued to patronise English houses can be readily categorised by their relative wealth and wide landed interests.⁷⁸

In general, the patterns of patronage from southeastern Scotland reveal an identification of religious concerns with local monastic communities. The ties created by patronage were in the main perpetuated and developed across the generations becoming part of individual family tradition. Continuity accordingly added a further layer to an individual family's local and regional bonds. At the level of the local community, common patronage and the identification of individuals with each others benefactions reinforced the local

⁷⁶ A number of individuals including small landholders from within the sample area continued to hold land in England during the period in question. For example Quincy, Moreville, Giffard, Lovel, Corbet, Ridel, Vaux to name the most prominent, all held at least some (and in the case of Quincy and Moreville substantial) estates in England which they continued to manage if even remotely from afar. See discussion of wider landholding in Chapter Two.

⁷⁷ A number of well known examples exist from within the sample areas of individuals granting English property to a Scottish house. Thus for example Hugh de Moreville granted Dryburgh the church on his land at Bozeat whilst Gervase and Ralph Ridel granted Jedburgh their church at Abbotsley in Huntingdonshire. See *Dryburgh Liber*, nos. 90-1; *RRS ii*, no.62.

⁷⁸ Thus for example from the sample area, Henry and Alan de Percy who held significant property around Whitby in Yorkshire endowed Whitby Abbey with property from their estates along the Tweed Valley, *RRS ii*, no. 62.

connections which had arisen out of geographical considerations and the sometimes complex associations within a given community which patronage created became part of the web of relationships which bound local society together. In the final analysis, the patterns of patronage in southeastern Scotland are an important illustration of the strength of local attachments. They illuminate the development of a genuinely local society and reflect the localised aspirations and concerns of the region's élite.

Court Attendance and the Establishment of Loyalty to the Crown

The development of aristocratic society in Scotland needs to be discussed in a wider context than simply local ties. The main characteristics of southeastern society were influenced by a powerful royal presence. So far this presence has only been noted and alluded to and accordingly the purpose of this chapter is to open out discussion to include the role of the crown and the wider regnal community in absorbing the new aristocracy into the affairs of the *regnum Scottorum*. The main focus of the regnal community was the King himself; the proximity of individuals to the crown through attendance at court constitutes the main analytical approach to the discussion of wider loyalties. The court was the centre of royal and aristocratic business, intrigue and patronage and as such it gave individuals and their families access to power and influence beyond their landed position in their home localities. The chapter will discuss in detail the ways in which individuals could interact with the court and how even relatively minor landholders could thereby become identified not only with their own locality but with the wider kingdom itself. Significantly, with the exception of the English occupation of 1174-89, the court was more regularly in the south east than in any other part of the kingdom.¹ This would have ensured that the Anglo-French community was exposed to an active and powerful royal presence which provided the provincial aristocracy with a wider regnal focus. Within this context the court should be seen as an important element in the development of aristocratic society and one which could almost constitute a further layer of community.

¹ See Geoffrey Barrow's outline itinerary in his introductions to *RRS i* and *RRS ii*.

Within a Scottish context, Geoffrey Barrow has argued that from surviving witness lists it is possible to suggest both the relative importance of an individual and his closeness to the crown as the court moved about the country.² Regarding the make up of the Scottish court, Barrow's line of argument takes a quantitative view of witnessing and influence using attestation figures as a guide to the make up of the King's *familia*. This approach has been typified by the work of Professor Warren Hollister on the Anglo-Norman court. Regarding witnessing in the Anglo-Norman realm, Hollister has argued that witnessing patterns are 'sufficiently accurate to yield reliable conclusions'.³ Although he notes that all figures can only be approximate he maintains that 'attestations remain our surest means of determining which people were habitually in the royal entourage'.⁴ It is thus upon the foundation of attestation tables that Hollister builds his picture of political society in the eleventh and twelfth century Anglo-Norman world.⁵ His vision of court society is of an aristocracy divided into *curiales* and non *curiales*, a view with which the ideas of Barrow and Duncan show some correspondence.⁶

Barrow has entered the proviso that frequency of attestation does not necessarily equate with influence. Yet he argues that we can with some

² See *RRS* i, 6-7. Archie Duncan has also taken a quantitative approach to witnessing and influence, see Duncan, *The Making of the Kingdom*, 205-214.

³ C. Warren Hollister, *Monarchy, Magnates and Institutions in the Anglo-Norman World* (London and Ronceverte, 1986), xiii.

⁴ *ibid*, 98.

⁵ For tables see *ibid*, 98-115.

⁶ Hollister's discussion of a curial aristocracy can be seen in *ibid*, 84, 98-99, 101-10. For a correspondence of this view from a Scottish perspective see Duncan, *The Making of the Kingdom*, 212. Barrow's comments are contained in his introduction to the acts of Malcolm IV *RRS* i, 79.

certainly assume that for the reigns of Malcolm IV and William I, witness lists probably give an accurate picture of the composition of the group by whom the king was most regularly attended and from whom he was accustomed to take counsel.⁷ The natural conclusion to be drawn from the approach taken by Hollister and Barrow is, that a consistent absence from witness lists can be equated with a lack of influence and that those with the most frequent representation in any table of witnessing were the closest and most important members of the *familia*.

Yet, while the importance of service in the *familia regis* has been brought out in an article by John Prestwich, the thrust of his argument warns against witnessing patterns as a guide to an individual's influence with the crown.⁸ Regarding attestation figures, an article by David Bates has argued that both documentary loss, which could affect conclusions in an obvious way and documentary survival, which could give undue prominence to a particular individual or group, can drastically distort the picture.⁹ The central premise of Bates's article however is that 'analysis should focus initially on the form and content of the writs and charters on which we have to rely, rather than taking the pattern of attestation as its starting point'.¹⁰ Although this proposition requires testing, the existence of different documentary types and of unequal

⁷ See *RRS* i, 7.

⁸ J.O. Prestwich, 'The Military Household of the Norman Kings', *Anglo-Norman Warfare*, ed. M. Strickland (Woodbridge, 1992), 93-127. For further discussion on the importance and composition of the Anglo-Norman *familia* see M. Powicke, *The Thirteenth Century* (Oxford, 1953); J.E.A. Jolliffe, *Angevin Kingship* (London, 1955); W.L. Warren, *Henry II* (London, 1973); M. Chibnall, 'Mercenaries and the *familia regis* under Henry I', *History*, lxii (1977), 15-23.

⁹ D.R. Bates, 'The Prosopographical Study of Anglo-Norman Royal Charters', *Family Trees and the Roots of Politics: The Prosopography of Britain and France from the Tenth to the Twelfth Century*, ed. K.S.B. Keats-Rohan (Woodbridge, 1997), 89-102.

¹⁰ *ibid*, 90.

distribution between beneficiaries are good reasons for applying Bates's methodology to twelfth century Scottish charters. Yet, even when the methodology includes an analysis of diplomatic form, witnessing alone (in a quantitative sense) is not a sufficient tool with which to gauge the proximity to the crown and influence of an individual or group. A framework needs to be constructed which includes alternatives to attestation as an indicator of proximity and influence.

In this respect the Scottish evidence supports the view that there were different forms of service and different ways in which individuals could relate to the king. In short, an argument can be constructed which supports a number of different layers indicating proximity including witnessing, title and household office and the itinerancy of the court itself. Analysis of these relationships can provide an illustration of the complexities of power in twelfth century Scotland. Political society during the latter half of the twelfth century was dominated by the nucleus of an older élite whose existence is not readily apparent from an analysis of witness lists. This élite was drawn from the native earls and a number of high status Anglo-French families established during the reign of David I. An alternative methodology can also indicate the role played within wider political society by the more local élites established in the south east of the kingdom. In this context, rather than forming the basis of an analysis of influence, witnessing provides an illustration of a comparatively small group of individuals upon whom the crown was accustomed to call for the requirements of documentary authorisation.

The preponderance of *novi homines* in the witness lists favoured by Barrow *et al* should not lead to the automatic assumption that older (native) families had

lost power and influence during the latter years of the twelfth century. Following the accession of David I in 1124, the crown appeared to favour its continental supporters at the expense of its native followers who do not appear with any great regularity in the witness lists of documents surviving from the reign. Yet as regards the native earls (as the most prominent of the native landholders), an assessment of their position based upon witnessing patterns alone would give an entirely false impression of their social and political importance post 1124. As Michael Lynch has noted it was an enduring paradox within Scottish Kingship that the authority of the kings depended on local nobles to supply the power in the regions which they themselves lacked.¹¹ Accordingly within their own territories it is doubtful if there were any real changes to the earls socio-political position in relation to the crown. John Bannerman has indicated that for the earldom of Fife the new circumstances pertaining in the post Davidian period scarcely affected how the earl and his kin functioned within Fife.¹² It is thus probable that there was more continuity than change in the relationship of the crown with its greater native supporters who in all probability continued to function as the real agents of power within the territories under their control. As Bannerman has noted, even as late as the 1290s the role which was fulfilled by the MacDuff earls of Fife was that of mormaer of a Celtic province rather than a feudal lord of a great feu under the crown.¹³ Furthermore against Barrow's suggestion that the phenomenon of witnessing reveals the dominance of the court by Anglo-Frenchmen can be set David Bates's argument that the inception of the practice of witnessing writs indicates rather a new way of supplying documentary authority than the

¹¹ Lynch, *Scotland*, 92.

¹² Bannerman, 'MacDuff of Fife', 20-38. See also Orm, 'Family Business', 134-45.

¹³ *Ibid*, 38.

exclusion from the court of magnates and older élites.¹⁴ The evidence from the witnessing patterns of the native earls corresponds with Bates's premise. Only Earl Duncan II of Fife and Earl Gilbert of Strathearn both of whom were closely associated with the crown witnessed brieves and writ charter documents with any frequency during the later twelfth century. In general there was little change in the witnessing patterns of the native earls from the later eleventh century into the Anglo-Norman era.

The majority of the documents witnessed by the earls were those with relatively large witness lists which they attested relatively infrequently.¹⁵ By and large the earls north of the Tay rarely appeared outwith their own territories, except to attend major events. Accordingly with the exception of earls Duncan and Gilbert post 1175, the witnessing patterns of the majority of the earls remained relatively consistent across the divide of 1124. Furthermore the argument for a political decline during the Anglo-Norman era is immediately undermined by the position of earls Duncan II of Fife and Gilbert of Strathearn. During the period 1175-1214 both of these individuals were frequent witnesses of royal documents including brieves and writ charters with few witnesses. Their presence at court and proximity to the crown is thus indicated by both service and their presence in the testing clauses of documents which reveal a wider court membership. For the majority of the earls however,

¹⁴ Barrow's discussion is *RRS* i, 7. Also Barrow, *Scotland and its Neighbours*, 62. The view that the native earls lost power and influence during the Anglo-Norman period has also been taken by R.A. McDonald in an unpublished PhD thesis in which he ascribes influence at court to frequent attestation and concludes that the twelfth century court was dominated by the Anglo-French who formed the driving force in political society. See McDonald, *Kings and Princes in Scotland*, 443-444, 450, 452-469. David Bates's argument is Bates, 'Prosopographical Study', 101.

¹⁵ The attestation figures and document breakdown of the native earls are given in Appendix Three.

it is significant that they continued to be present or at least have their names appended to the great monastic confirmations of the second half of the twelfth century such as King Malcolm IV's general confirmation for Dunfermline Abbey 1154x1159 and his confirmation for Kelso Abbey in 1159.¹⁶ The Dunfermline document includes as witnesses Cospatric earl of Dunbar, Duncan earl of Fife, Malcolm earl of Athol, Gilbride earl of Angus and Ferteth earl of Strathearn.¹⁷ These men were also named as witnesses to the great confirmation charter for Kelso Abbey in which they were joined by Uhtred , the future lord of Galloway.¹⁸ Earl Cospatric witnessed the great confirmation for St Andrews 1160x1161 in which he was joined by two Fife landholders Merlswain and Ness son of William.¹⁹ There was a large native presence in the Confirmation charter for Scone Abbey 1163x1164. Earls Duncan, Gilbride, Malcolm and Gilcrist earl of Mar were joined in this charter by eight native landholders including Gilbert (the future earl of Strathearn) and Adam the son of the earl of Angus.²⁰ Indeed only the confirmations for Cambuskenneth Abbey and Jedburgh Abbey were without a native earl in their witness lists.²¹

During the reign of William I the pattern of earls being present in the majority of great confirmation charters continued and can be seen in the King's general confirmation of the property and privileges of St Andrews Cathedral Priory issued at a date between 1165 and 1169. This document included as witnesses

¹⁶ A discussion of witnessing and confirmation charters follows below.

¹⁷ *Dunfermline Registrum*, no. 35.

¹⁸ *Kelso Liber*, ps. iii-vii.

¹⁹ *RRS* i, no. 174.

²⁰ *RRS* i, no. 243.

²¹ These charters are *ibid*, no. 195; *Cambuskenneth Registrum*, no. 50.

Duncan earl of Fife, Gilbride earl of Angus, Malcolm earl of Athol and Patrick earl of Dunbar. The document also included the names of five native landholders from Fife.²² A number of native earls were also included as witnesses to the King's foundation charter for Arbroath Abbey issued in 1178. Earl Gilbert of Strathearn, Gilbride of Angus, Malcolm of Athol, Earl Waltheof and Earl Colban of Buchan were all present on the witness list of the foundation charter.²³ The grant of the earldom of Lennox to the King's brother David in 1178 was also witnessed by the earls Duncan, Gilbride, Malcolm, Colban, Gilbert and Waltheof of Dunbar.²⁴ Indeed only four out of fourteen great confirmation charters issued during the reign of William I were without any representation of the native establishment in their witness lists.

The clauses of the *conventio de Falaise* (1 December 1174) reveal that the earls remained an important political force as three of them, Earl Duncan, Earl Waldef and Earl Gilbride were included in the list of individuals required to give hostages as surety for the King's behaviour.²⁵ The native earls occupied a more important position in the power structures of the *regnum Scottorum* than a superficial reading of attestation figures would allow. Indeed it is possible to turn the argument regarding the role of the earls on its head and suggest that their position, rather than representing any loss of political power after 1124, reveals that they remained a stable force in political society. The imposition of feudal norms on the earls as represented by, for example, charters of

²² *RRS* ii, no. 28.

²³ *Arbroath Liber*, no. ii. Appendix, no. 1.

²⁴ *RRS* ii, no. 205.

²⁵ *Anglo-Scottish Relations 1174-1328. Some Selected Documents*, ed. E.L.G. Stones (Oxford, 1965), 7-9.

infertment does not therefore reflect any serious shift in the balance of political forces post 1124.²⁶ The example of the earls therefore shows a correspondence with David Bates's argument for the continued political importance of established élites whose position may be misrepresented if attestation figures are taken as the sole criteria of analysis.²⁷

Accordingly, the analysis of witnessing patterns, rather than being a statement of power relationships, reveals a layer of service through which relatively new individuals could enter an established older élite. The changing composition of witnessing groups within a number of date ranges during the second half of the twelfth century can provide an illustration of the process through which a comparatively small group of incoming Anglo-Frenchmen and their families entered the higher reaches of the Scottish nobility through service and the agency of royal power. An examination of the charters of Malcolm IV and William I reveals that they fall into a number of categories. Geoffrey Barrow has pointed out that a too rigid classification of document type anticipates in an anachronistic manner the stereotyped forms of royal document which are not clearly discernible until the thirteenth century.²⁸ Yet, certain broad distinctions can be observed which have an important bearing on a discussion regarding individuals and their closeness to the centre of power during the second half of the twelfth century. By the reign of William I the preponderance of royal acts

²⁶ Indeed as Richard Oram has noted with regard to Galloway, the trappings of change were important to the native lords but that they scarcely affected how they operated within their own territories, Oram, 'Family Business', 134. See also Bannerman, 'MacDuff of Fife', 20-38; Stringer, 'Periphery and Core', 82-113.

²⁷ Bates, 'Prosopographical Study', 101. The parallels with Bates's eleventh century hypothesis can be drawn almost exactly and suggest that in a twelfth century Scottish context the continuing importance of established élites reinforces an argument for proximity within which witnessing occupies only one layer of influence.

²⁸ Barrow's discussion of charter type is in *RRS* i, 59.

of the writ charter type is clearly marked. Indeed all of the royal acts conform to this document type with the exception of the confirmation for Dunfermline Abbey 1165x1168 which is a diploma.²⁹ Broadly speaking therefore, the majority of the surviving royal acts issued during the period 1153-1214 were of the writ charter type and can be broken down into two main forms: miscellaneous administrative briefes and more solemn charters. This latter category can itself be broken down into two main sub-groups: grants and confirmations with a varying number of witnesses and great confirmations. For the purposes of this section, the methodology used in analysing the charter evidence has focused upon surviving briefes (grants and confirmations with up to five witnesses have also been analysed to assess the percentage of documents with few witnesses within an individual's total attestations).

The testing clauses of these documents have revealed that in a relatively high percentage of cases, witnessing groups consisted mainly of clerks and a number of lay individuals who attested with relative frequency.³⁰ Examination of the witnessing patterns of these documents within a number of date ranges from the period 1153-1214 identifies a number of individuals who witnessed a high percentage of documents of the smaller sort either briefes or grants/confirmations with few witnesses, document types which did not typically depend upon the gathering of the king's full court for legitimation. The witnessing patterns of these documents can be illustrative of the existence of a group of individuals whose composition changes across time and whose proximity to the crown was based upon service and the requirements of the authorisation of a preponderant document type.

²⁹ *Dunfermline Registrum*, no. 50.

³⁰ The witnessing patterns of laymen across the full range of document types can be seen in Appendix One.

The *briefes* issued during the second half of the twelfth century fall into two main groups: administrative and those establishing or confirming legal rights or privileges. The administrative *briefes* usually deal with miscellaneous royal commands specific to the rights and obligations of the beneficiary. A good example is a *briefe* for St Andrews Cathedral Priory issued at Crail 1171x1174. This act addressed to the King's foresters of Banchory commands that the canons of St Andrews may take timber for building their church and the king states that obstruction of this order will be subject to a £10 forfeiture.³¹ Legal *briefes* cover a variety of subjects with the most common type being an order that the beneficiary is exempt from toll or *cain* on his goods throughout the realm of which nineteen examples exist from the reign of William I. The grant of freedom to buy and sell is a closely related type of *briefe* of which seven examples exist from the period 1165-1214. Other more common legal *briefes* grant the beneficiary the right to have their fugitive *neyfs* restored to them of which there are twelve surviving examples from the reign of William I or forbid anyone from taking *poinds* against the beneficiary. In general, *briefes* of all types were witnessed by only a small number of individuals with the average being three witnesses across the reigns of Malcolm IV and William I. Occasionally, a *briefe* could contain a larger witness list such as the *briefe* for Coupar Angus Abbey issued at Perth 1165x1166 which was witnessed by six individuals.³²

A *briefe* taking the canons of St Andrews into the King's peace wherever they cultivate their lands or collect their revenues was issued at St Andrews

³¹ *RRS* ii, no. 128.

³² *Ibid*, no. 12.

1170x1171 and witnessed by seven individuals.³³ Such examples however remain occasional; the norm was for a testing clause appended to a brief to contain between two and five names. The royal briefs for the period 1153-1214 are acutely affected by the problem of document survival. Although copies exist in both monastic and cathedral cartularies, in places indifferent archival practice (especially true of Dryburgh Abbey) has ensured that a number of copies have had their witness lists either abbreviated or removed completely. Yet, the witness lists of surviving briefs can provide an important insight into the proximity to the crown of a number of individuals especially where witnessing patterns run across several beneficiaries. A number of briefs survive from the period 1153-1214. Twenty-nine briefs for sixteen beneficiaries survive from the reign of Malcolm IV 1153-1165. Thirty-seven briefs for sixteen beneficiaries survive from the first decade of the reign of William I 1165-1174. Twenty-eight briefs for fourteen beneficiaries survive from the period 1175-1194 whilst seventeen briefs for thirteen beneficiaries survive for the period down to the close of the reign in 1214.³⁴ Analysis of the testing clauses of the surviving briefs for the period 1153-1214 has identified a number of individuals whose proximity to the crown can be indicated through service.

During the reign of Malcolm IV, the individuals most frequently involved in the witness of these documents were Walter fitz Alan (thirteen briefs), Hugh de Moreville (six), Walter de Lindsey (five), David Olifard (five), Robert Avenel (three) and Richard de Moreville (three). The suggestion that these individuals

³³ *RRS ii*, no. 127.

³⁴ The beneficiaries of the surviving briefs for the period 1153-1214 are contained in the tables in Appendix Two.

were close to the crown through service can be reinforced through analysis of the number of witnesses involved in each breve and the pattern of beneficiaries. Walter fitz Alan attested two breves with two witnesses, six breves with three witnesses, four breves with four witnesses and one breve with five witnesses. Two breves were witnessed for St Andrews Cathedral Priory.³⁵ One breve each was witnessed for Holyrood Abbey, Missenden Abbey, Harrold Priory, Eynsham Abbey, May Priory, St Andrews Hospital in Fife, Coldingham Priory, St Andrews Priory Northampton, Glasgow Cathedral, Scone Abbey and Dunfermline Abbey.³⁶

A similar pattern can be seen with the other individuals in the group. Hugh de Moreville witnessed three breves with two witnesses, one breve with three witnesses and two with four witnesses. He attested two breves for Dunfermline Abbey and one each for St Andrews Cathedral Priory, Coldingham Priory, St Andrews Hospital and St Andrews Priory Northampton.³⁷ Walter de Lindsey witnessed two breves with three witnesses and three breves with four witnesses. He attested two breves for May Priory and one each for Harrold Priory, Dunfermline Abbey and Glasgow Cathedral.³⁸ David Olifard witnessed one breve with two witnesses, two breves with three witnesses and two breves with five witnesses. He attested two breves for Coldingham Priory and one each for St Andrews Priory Northampton, St Andrews Hospital in Fife and Scone Abbey.³⁹ Robert Avenel

³⁵ *RRS* i, nos. 126, 233.

³⁶ *Ibid*, nos. 145, 151, 162, 170, 185, 202, 220, 230, 242, 247, 264.

³⁷ *Ibid*, nos. 125, 145, 167, 181, 185, 188.

³⁸ *Ibid*, nos. 149, 162, 166, 169, 185, 258.

³⁹ *Ibid*, nos. 152, 170, 189, 220, 262.

witnessed two briefes with three witnesses and one briefe with five witnesses. He attested one briefe each for May Priory, Glasgow Cathedral and St Andrews Cathedral Priory.⁴⁰ Finally, Richard de Moreville witnessed two briefes with three witnesses and one briefe with five witnesses. He attested one briefe each for Glasgow Cathedral, Coldingham Priory and St Andrews Hospital.⁴¹ Other lay individuals who also attested briefes during this period were, Robert II de Brus, Ranulf de Soules, John de Vaux, William de Hay and the King's mother Countess Ada with two attestations each. William de Lindsey, Richard Comyn and Philip de Colville also witnessed one briefe each.

During the first decade of the reign of William I, 1165-1174, the composition of the service group consisted of four of the individuals from the previous reign, Walter fitz Alan (thirteen briefes), David Olifard (ten), Richard de Moreville (eight) and Robert Avenel (two) but they were joined by Richard Comyn and Hugh Ridel with five and three attestations respectively. Walter fitz Alan witnessed two briefes with two witnesses, four with three witnesses, three with four witnesses and four with five witnesses. He attested three briefes each for Scone Abbey and Dunfermline Abbey and two briefes for May Priory.⁴² He also attested one briefe each for Newbattle Abbey, Coupar Angus Abbey, Coldingham Priory, The Cathedral of Moray and St Andrews Hospital in Fife.⁴³ David Olifard witnessed four briefes with two witnesses, two with three witnesses, one with four and three with five witnesses. He attested three

⁴⁰ *RRS i*, nos. 126, 169, 258.

⁴¹ *Ibid*, nos. 170, 220, 242.

⁴² *RRS ii*, nos. 15, 25-26, 38, 93-94, 108, 163.

⁴³ *Ibid*, nos. 12, 24, 70, 101A, 132.

briefes for St Andrews Hospital in Fife.⁴⁴ He also attested one briefe each for Kelso Abbey, St Andrews Cathedral, Dunfermline Abbey, St Andrews Priory Northampton, Coupar Angus Abbey, Scone Abbey and Coldingham Priory.⁴⁵ Richard de Moreville witnessed one briefe with two witnesses, four with three witnesses, two with four witnesses and one with five witnesses. He attested three briefes for May Priory and one each for Durham and The Cathedral of Moray, Kelso Abbey, Scone Abbey and Furness Abbey.⁴⁶ Richard Comyn witnessed one briefe with two witnesses, three with four witnesses and one with five witnesses. He attested two briefes for Dunfermline Abbey and one briefe each for The Cathedral of Moray, Coldingham Priory and St Andrews Hospital.⁴⁷ Hugh Ridel witnessed one briefe with two witnesses, one with three and one with four witnesses. He attested one briefe each for Kelso Abbey, Coldingham Priory and St Andrews Priory Northampton.⁴⁸ Finally, Robert Avenel witnessed two briefes with five witnesses. He attested one briefe for Coldingham Priory and one for St Andrews Cathedral.⁴⁹ Other lay individuals who witnessed briefes during this period included Earl Duncan of Fife, Philip de Colville, William de Hay, Walter de Windsor, Philip de Valognes and Walter de Berkely with two attestations each. A number of individuals also witnessed a single briefe including Alan fitz Walter, Robert de Berkely, Robert Frebern, John de Vaux, Geoffrey de Melville and the earls Gilbert of Strathearn and Waltheof of Dunbar.

⁴⁴ *RRS ii*, nos. 24, 76-77.

⁴⁵ *Ibid*, nos. 11, 15, 49, 67-68, 71, 108.

⁴⁶ *Ibid*, nos. 6, 15, 47, 93-95, 132, 144.

⁴⁷ *Ibid*, nos. 24, 38, 44, 132, 156.

⁴⁸ *Ibid*, nos. 49, 67, 95.

⁴⁹ *Ibid*, nos. 67, 127.

The situation changed considerably during the period 1175-1194 with only Richard de Moreville (six brieves) remaining from the witnessing group identified through service during the first decade of the reign. Among the most frequent witnesses to royal brieves during this period were Philip de Valognes (six), Earl Duncan II of Fife (five), Walter Olifard (four), Walter de Berkely (four), William de Hay (three), Robert de Quincy (three) and William de Lindsey (three). Again the spread of beneficiaries can strengthen the suggestion that these individuals were close to the crown through service. Richard de Moreville witnessed one breve with two witnesses, two with four witnesses and three with five witnesses. He attested two brieves for Kelso Abbey and one breve each for Glasgow Cathedral, Arbroath Abbey, the burgh of Inverness and the burgh of Inverkeithing.⁵⁰ Philip de Valognes witnessed one breve with two witnesses, one with three witnesses, two with four witnesses and two with five witnesses. He attested two brieves for Glasgow Cathedral and one breve each for Kelso Abbey, Arbroath Abbey, The Cathedral of Moray and the burgh of Inverness.⁵¹ Earl Duncan witnessed two brieves with three witnesses and three with five witnesses. He attested one breve each for Coldingham Priory, Coupar Angus Abbey, May Priory, the burgh of Inverkeithing and the burgh of Inverness.⁵² Walter Olifard witnessed four brieves with five witnesses. He attested one breve each for Arbroath Abbey, Kelso Abbey, Glasgow Cathedral and the burgh of Inverness.⁵³ Walter de Berkely witnessed one breve with two witnesses, one with four witnesses and two with five witnesses. He attested one breve each for Arbroath Abbey,

⁵⁰ *RRS ii*, nos. 189, 213, 239, 248, 250, 285.

⁵¹ *Ibid*, nos. 176, 213, 239, 285, 316, 374.

⁵² *Ibid*, nos. 207, 213, 250, 294, 298.

⁵³ *Ibid*, nos. 189, 213, 248, 282.

May Priory, Kelso Abbey and the burgh of Inverkeithing.⁵⁴ William de Hay witnessed one brieve each with three, four and five witnesses. He attested one brieve each for Kelso Abbey, Arbroath Abbey and the burgesses of Moray.⁵⁵ Robert de Quincy witnessed three brieves with five witnesses. He attested all three brieves for Glasgow Cathedral.⁵⁶ Finally William de Lindsey witnessed one brieve with four witnesses and two brieves with five witnesses. He attested one brieve each for Arbroath Abbey, St Cuthbert's Church on Holy Island and Glasgow Cathedral.⁵⁷ Other lay individuals who witnessed brieves during this period included Walter fitz Alan (before his death in 1177) with three attestations, Robert de Berkely, Hugh Gifford, Gervase Avenel and Earl Gilbert of Strathearn with two each. A number of individuals also witnessed one brieve each including Richard Comyn, Robert Avenel, Alan fitz Walter, Robert II de Brus, Hugh Ridel, Walter de Windsor, John de Vaux, William de Vieuxpont, Geoffrey de Melville, William Comyn and William de Moreville.

During the final period 1195-1214, the composition of the witnessing group remained relatively stable with Philip de Valognes (six brieves), Earl Duncan II of Fife (four), William de Lindsey (three), William de Hay (three) and Robert de Quincy (two) remaining from the previous date range. They were joined by William Comyn with two attestations. A small number of surviving brieves from this period (seventeen) may help account for the fact that with the exception of Philip de Valognes, the number of attestations of the majority of individuals are low. Yet, despite the low numbers, the attestations of these

⁵⁴ *RRS ii*, nos. 205, 207, 234, 248.

⁵⁵ *Ibid*, nos. 176, 248, 285.

⁵⁶ *Ibid*, nos. 179, 189, 374.

⁵⁷ *Ibid*, nos. 313, 316, 354.

individuals continued to be spread across several beneficiaries. Philip de Valognes witnessed three brieves with two witnesses, one with three witnesses and two with five witnesses. He attested one brief each for Dunfermline Abbey, Moray Cathedral, Arbroath Abbey, the burgh of Aberdeen, the burgh of Inverness and Glasgow Cathedral.⁵⁸ Earl Duncan of Fife witnessed two brieves with three witnesses and two with five witnesses. He attested one brief each for Scone Abbey, The Cathedral of Moray, the burgh of Aberdeen and the burgh of Inverness.⁵⁹ William de Lindsey witnessed one brief with three witnesses and two with five witnesses. He attested one brief each for Melrose Abbey, Manuel Priory and Coupar Angus Abbey.⁶⁰ William de Hay witnessed three brieves with five witnesses. He attested one brief each for Scone Abbey, Coupar Angus Abbey and the burgh of Aberdeen.⁶¹ Robert de Qunicy witnessed one brief with two witnesses and one with five witnesses. He attested one brief each for Lesmahagow Priory and Scone Abbey.⁶² Finally, William Comyn witnessed two brieves with five witnesses. He attested one brief each for the burgh of Inverness and Scone Abbey.⁶³ A number of individuals also witnessed a single brief including John de Hastings, Alan fitz Walter, Gervase Avenel, Richard de Melville, William Giffard, Humphrey de Berkely, Henry Revel, John de Vaux, Earl Gilbert of Strathearn, Earl Patrick of Dunbar and Alan son of Roland.

⁵⁸ *RRS ii*, nos. 388, 395, 429, 438, 500, 507.

⁵⁹ *Ibid*, nos. 388, 394, 398, 429.

⁶⁰ *Ibid*, nos. 406-07, 509.

⁶¹ *Ibid*, nos. 398, 429, 509.

⁶² *Ibid*, nos. 387, 398.

⁶³ *Ibid*, nos. 388, 398.

Each date range presented above contains a number of individuals who attested the surviving briefs of the period. They also contain a smaller group who were both active witnesses and who attested a relatively high percentage of the extant briefs and acts with only a few witnesses.⁶⁴ In the majority of cases, witnessing of these documents remains consistent throughout the date ranges discussed above at between 40% and 50% of an individual's extant attestations. The documents concerned were usually either royal commands and instructions to officers and ministers or they were grants and confirmations of small parcels of land and property with only a small number of recorded witnesses. As David Bates has argued, the predominance of documents of this writ charter type for royal business is crucial. Their form and content did not require them to be issued at solemn occasions with large numbers of witnesses for their authorisation. Accordingly, this allowed for the rise of a small service group whose proximity to royal power was based upon the requirements of a preponderant documentary type.⁶⁵

A series of briefs issued 1165x1171 can provide an example of the crown's use of a small group of individuals to attest its more administrative acts during a given period of time. The first four briefs were all issued at Edinburgh for May Priory (3) and Kelso Abbey.⁶⁶ The witnesses of this group were Engelram bishop of Glasgow, Nicholas the chancellor, Richard de Moreville, Walter fitz Alan and Hugh Ridel. The next brief in the series was issued at Stirling for Coldingham Priory and was witnessed by Engelram, Nicholas and

⁶⁴ For individual attestation figures of acts with less than five witnesses see Appendix One. In the majority of cases, the individuals concerned were landholders of high status with interests in a number of Scottish regions.

⁶⁵ Bates, 'Prosographical Study', 89-102.

⁶⁶ *RRS* ii, nos. 92-95

Walter fitz Alan.⁶⁷ The sixth breve was issued at Dunfermline for the abbey and was witnessed by Nicholas and David Olifard.⁶⁸ Finally breve number seven was issued at Forfar for Coldingham Priory and was witnessed by Nicholas and Matthew archdeacon of St Andrews.⁶⁹ Simple numbers however, matter less than the suggestion that service was the business of a relatively small number of individuals (both clerical and laymen) whom the crown regularly drew upon for supplying the authorisation for the documents which did not typically require large numbers of witnesses. Furthermore what witness lists reveal (especially post 1175) is the entry into the court of new men such as Valognes, Berkely, Hay, Quincy *et al* through the agency of royal power. Any argument which, for example, regarded this phenomenon as evidence for a change in the status of the older Anglo-French families would be fundamentally flawed.⁷⁰

In general the witness lists favoured by Barrow *et al* reveal the presence at court of a small group of individuals including a significant number of *novi homines* whose attestation of the writ charter type indicates the role of service as a means of entry into established political society but which tells us little of the composition of the the élite in its wider sense. The presence of this service group does not, however, indicate the exclusion of other individuals from the court or preclude other forms of influence and proximity. As David Bates has reminded us, ‘the fact that some relied more on service at court than others for

⁶⁷ *RRS ii*, no. 101A

⁶⁸ *Ibid*, no. 108.

⁶⁹ *Ibid*, no. 113.

⁷⁰ See Barrow’s discussion on the apparent movement away from power and influence of Alan fitz Walter during the 1190s, an argument which is based upon a drop in attestations, *RRS i*, 34-35.

their careers does not mean that they were necessarily closer to the king politically'.⁷¹ Witnessing patterns can therefore only be part of the picture and they at best indicate only one layer of proximity to power and influence at court. This is especially relevant to both the more important (in a landed sense) older Anglo-French families such as fitz Alan, Avenel and Soules who cease to attest with any regularity in the later twelfth century and the more local élite whose relationship to wider political society is not readily apparent from a study of witnessing patterns alone.⁷² Rather than represent a significant lack of political power, the low attestation figures of the individuals in both groups during the second half of the twelfth century supports the argument (already seen with regard to the position of the native earls) that there were different ways of relating to the king and varying levels of proximity which included the interaction of a number of aristocratic groups within a wider court setting. In this sense, it can be argued that issues of power and influence and the relationship between different aristocratic communities cannot be analysed with any certainty from the study of attestation figures alone.

The attendance upon Malcolm IV and William I in England as revealed in surviving charters provides a good starting point for discussion. In general, attendance included a number of individuals whose position *vis a vis* the crown appears to be or to become equivocal during the second half of the twelfth century.⁷³ Malcolm IV was in Huntingdonshire and Northamptonshire at a date between 1157 and 1162 attended by among others Hugh de Moreville

⁷¹ Bates, 'Prosopographical Study', 101.

⁷² Note however, that in the case of Alan fitz Walter he had seriously incurred the royal displeasure in the later 1190s through his dealings with the Earl of Carrick leading to a crisis in the fitz Alan position which endured until the end of the reign in 1214. His disappearance was accordingly more serious than simply a drop in attestation.

⁷³ Using an analysis drawn from attestation figures alone.

and his son Richard, Robert II de Brus, Walter de Lindsey, David Olifard, Walter fitz Alan, Ranulf de Soules and Thomas de Londres.⁷⁴ At a date between 1157 and 1158 the king was in Cumberland accompanied by Hugh and Richard de Moreville, Robert II de Brus, Walter fitz Alan, William de Somerville and Ranulf de Soules.⁷⁵ In 1159 Walter fitz Alan was with the king in Les Andelys in Normandy along with William de Colville and the newly established John de Malherbe.⁷⁶ Finally for Malcolm's reign, in 1163 Walter fitz Alan, Ranulf de Soules and Hugh Ridel were with the king in his midlands earldom along with new men such as William de Vieuxpont and Robert de Quincy.⁷⁷

Sometime between 1165 and 1171 William I was accompanied to Huntingdonshire by David Olifard, Hugh Ridel, Richard de Moreville, Alan fitz Walter and Countess Ada along with William de Vieuxpont and the newly established Robert de Quincy, Hugh Giffard, Walter de Windsor and Philip de Valognes.⁷⁸ Circa 1166 the king was in Durham with Richard de Moreville, David Olifard, Bernard fitz Brian and Gilbert fitz Richer along with Philip de Valognes and William de Vieuxpont.⁷⁹ Whilst in Northamptonshire in 1174, probably after the King's release from captivity, Richard de Moreville and Hugh Ridel witnessed a charter along with Richard Comyn, Philip de Valognes,

⁷⁴ *RRS* i, nos. 144-54.

⁷⁵ *Ibid* i, nos. 139-41.

⁷⁶ *Ibid*, no. 155.

⁷⁷ *ibid*, nos. 202, 205-07. William de Vieuxpont may in fact have held some land in Berwickshire at Langton on the feu of Henry de Or from the time of David I, *ESC*, no. 192.

⁷⁸ *RRS* ii, nos. 49-51, 55, 57.

⁷⁹ *Ibid*, no. 1.

Walter de Berkely and his brother Robert, Walter de Windsor, William de Vieuxpont and John de Hastings.⁸⁰ In 1185 William I was in Northamptonshire with Richard de Moreville and his son William, Alan fitz Walter, Ranulf de Soules, Gervase Avenel, Thomas de Colville, Bernard fitz Brian and Walter de Windsor.⁸¹

If one looks at the clauses of the *conventio de Falaise* it can be seen that a number of Anglo-Frenchmen were required to give hostages to guarantee the King's compliance with the clauses of the treaty. These men were Richard de Moreville, Richard Comyn, Walter Corbet, Walter Olifard, John de Vaux, William de Lindsey, Philip de Colville, Philip de Valognes, Robert Frebern, Robert de Burnville, Hugh Giffard, Hugh Ridel, Walter de Berkely, William de Hay and William de Mortimer.⁸² The clauses of the *conventio* imply that the men named were present when the treaty was drawn up. It is significant for a discussion of influence that of the men named in the *conventio*, three of them were the native earls mentioned above and seven of them are from predominantly local Anglo-French families who are not usually represented as being among the political élite of the Scottish kingdom. A failure to be represented in tables of witnessing does not therefore necessitate a concomitant lack of political power and influence on the part of the individuals concerned. Clearly power relationships need to be seen within the context of a number of co-existing layers of proximity and influence within which a number of aristocratic groups interacted with each other and with the crown. If attendance on the king whilst he was present in England and the revealing

⁸⁰ *RRS ii*, no. 146.

⁸¹ *ibid*, no. 263.

⁸² *Anglo-Scottish Relations*, 7-9.

clauses of the *conventio de Falaise* mean anything it is surely that the realities of power were more complex than a simple reading of attestation figures would allow.

Geoffrey Barrow has suggested that for the second half of the reign of William I the witness lists reveal the extent to which the court had become dominated by a small group whose witnessing patterns suggest with some consistency that they were the intimate members of the king's entourage.⁸³ The argument here however, is that a methodology based upon attestation restricts political society to the narrow confines drawn up from surviving testing clauses and thus misrepresents the realities of power and influence during the period in question. Barrow himself notes that the court contained a wider membership than can be seen through witnessing but he stops short of examining in any detail the various forms that proximity could take outside of witnessing patterns.⁸⁴ Any examination of proximity and influence in twelfth century Scotland needs to take cognizance of both the older high status Anglo-French families and more (generally speaking) local élite groups including figures such as Corbet, Frebern, de Vaux, Lindsey, Ridel, Londres, Hadden, Ryedale, Windsor and Colville. The political importance of such individuals, whose importance in a wider regnal context would be overlooked in a methodology which took attestation as the sole indicator of proximity and power relationships, can be suggested through their continued presence on important occasions and their attendance upon the king during his visits to England. Accordingly, they bear witness not only to the existence of alternative forms of proximity and influence, but also to the dynamic interaction between local society and more

⁸³ *RRS* i, 78-79.

⁸⁴ *Ibid*, 79.

national aristocratic communities.

The argument for the position of the more provincial Anglo-French families within the political élite of the kingdom can be strengthened further by an examination of the great confirmation charters issues during the period 1153-1214. During the reign of Malcolm IV six great confirmation charters survive including charters for Kelso Abbey, Dunfermline Abbey, St Andrews Cathedral Priory, Cambuskenneth Abbey, Scone Abbey and Jedburgh Abbey.⁸⁵ During the first decade of the reign of William I seven great confirmations are extant including documents for May Priory, St Andrews Cathedral Priory, Dunfermline Abbey, Holyrood Abbey, Kelso Abbey, Newbattle Abbey and Jedburgh Abbey.⁸⁶ Five great confirmations survive from the period 1175-1194 including charters for Melrose Abbey, Lindores Abbey, Kelso Abbey, St Machar's Cathedral Aberdeen and the foundation of Arbroath Abbey.⁸⁷ Finally, two great confirmations survive for the period 1195-1214, the confirmation of the privileges of the burgh of Perth and a confirmation for Arbroath Abbey.⁸⁸

These documents were normally issued at solemn occasions and the length and composition of the testing clauses suggest that they were promulgated at fairly full sessions of the *curia regis*. The great Kelso charter of 1159 is witnessed by no less than forty-four individuals.⁸⁹ The confirmation for Dunfermline Abbey

⁸⁵ *RRS i*, nos. 118, 131, 174, 195, 241, 243.

⁸⁶ *RRS ii*, nos. 8, 28, 30, 39, 61-63.

⁸⁷ *Ibid* nos. 175, 197, 251, 363, 367.

⁸⁸ *Ibid*, nos. 467, 513.

⁸⁹ *RRS i*, no. 131.

1154x1159 contains six *signa* and the names of seventeen witnesses and asserters.⁹⁰ The confirmation for St Andrews Cathedral Priory issued in 1160 contains the names of twenty-two individuals.⁹¹ All of the confirmation charters issued during the period 1153-1214 contain the names of a combination of *novi homines*, individuals identified through service, high status individuals and more local figures who could not be included in an argument for proximity to the crown based upon a table of witnessing. The great confirmation charters illustrate the wider membership of the *curia regis* at more solemn occasions when the élite of political society were expected to be gathered with the king.

Of course some of the witnesses to these documents such as the Roxburghshire group in the witness list of the 1193 confirmation for Kelso Abbey issued at Roxburgh may simply have been required to give local approbation to the confirmation.⁹² But in general the great confirmations reinforce the argument that a number of individuals from older and more local families retained their place among the élite despite a lack of representation in lists drawn from witnessing alone. Prominent among this group during the period 1153-1165 were Philip de Colville, Ranulf de Soules, Robert II de Brus, William de Somerville and Hugh Ridel.⁹³ For the reign of William I the individuals who emerge as being particularly prominent are Hugh Ridel, Ranulf de Clere, Bernard fitz Brian and his nephew Bernard de Hadden, Robert

⁹⁰ *RRS i*, no. 118.

⁹¹ *Ibid*, no. 174.

⁹² These individuals were, Walter Corbet, Herbert Maxwell and Bernard de Hadden; *RRS ii*, no. 367.

⁹³ Philip de Colville, *RRS i*, no. 118, 174, 184, 195. Ranulf de Soules, *ibid*, nos. 131, 174, 184. Robert II de Brus, *ibid*, nos. 174, 184. William de Somerville, *ibid*, nos. 131, 174, 184. Hugh Ridel, *ibid*, nos. 184, 195.

Avenel and his son Gervase, Gilbert fitz Richard, William II de Somerville and Ranulf de Soules.⁹⁴

A difficult question to answer is whether the named witnesses were always present when the written acts containing their attestation were produced. Geoffrey Barrow has stated that for twelfth century Scotland there is no reason to doubt that persons so named were generally present when the acts were passed or drawn up.⁹⁵ On the other hand, David Bates has argued that it must not be assumed that those who attested were in the king's presence at the moment that the confirmation was made.⁹⁶ No final conclusion to this question can be reached. However, from the perspective of wider political society in later twelfth century Scotland, the confirmation charters do show a correspondence with the evidence outlined above for the suggested political importance of older high status families as well as more local individuals and they also show who was considered to be a member of the élite and therefore expected to attend the royal court.

Within the context of service and influence, the holding of office can also act as reinforcement of the position of the older élite as well as providing further context to the proximity of a number of individuals linked with the court through frequent attestations or the witnessing of briefs etc. Both Geoffrey Barrow and Archie Duncan have linked the importance of office with witnessing and in a number of cases Barrow has stated that infrequent

⁹⁴ Hugh Ridel, *RRS* ii, nos. 28, 69, 143. Ranulf de Clere, *ibid*, nos. 30, 137. Bernard fitz Brian, *ibid*, nos. 39, 62, 69. Bernard de Hadden, *ibid*, no. 367. Robert Avenel, *ibid*, nos. 63, 175. Gervase Avenel, *ibid*, no. 367. Gilbert fitz Richer, *ibid*, nos. 62, 80. William de Somerville, *ibid*, nos. 63, 175. Ranulf de Soules, *ibid*, nos. 63, 367; *Lindores Chartulary*, no. 1.

⁹⁵ *RRS* i, 79.

⁹⁶ Bates, 'Prosopographical Study', 92.

attestations are a reflection either of the low status of the office involved or of the relative distance to the crown of the individuals concerned.⁹⁷ Whilst in a number of cases there is a direct correlation between the holding of office and the witnessing of briefs and small grants the discussion needs to consider the importance of office in its own right as a further layer of proximity to the crown. The privileges which office brought were one of the principal ways in which the crown in any society could reward its followers. The granting of office was one of the main assets of a medieval monarch and in the context of securing loyalty, office was an important facility whereby a number of individuals could become enmeshed in the affairs of the *regnum Scottorum*.

Three of the four main household offices during the period 1153-1214 were held by individuals who were or who had been identified through witnessing as being in close proximity to the king. In this respect the correlation between office and witnessing can act as a reinforcement of the suggested prominence of the individuals involved, adding a further dimension to the discussion. The link with witnessing is fortuitous but it should not serve as the only basis for a discussion of the subject. John Prestwich has argued against a purely domestic or administrative view of the Anglo-Norman household offices and he has suggested that they were positions of real importance granted to individuals who were high up in the counsels of the *familia regis*.⁹⁸ Whilst Prestwich's argument revolves around the military importance of the officers concerned within the military household of the Anglo-Norman kings, the Scottish evidence does show some correspondence with the wider political importance of his view and the evidence also provides further illustration of the importance

⁹⁷ See *RRS* ii, 34-39; Duncan, *The Making of the Kingdom*, 208-212.

⁹⁸ Prestwich, 'Military Household', 113-15.

of a wider political élite.

The position with the general responsibility for the management of the King's household was the office of steward. The stewardship had since *circa* 1136 been held by Walter fitz Alan who was confirmed in his post and his office made hereditary by Malcolm IV *circa* 1162.⁹⁹ Geoffrey Barrow notes that following the death of Hugh de Moreville in 1162, Walter was the single most important lay member of the household.¹⁰⁰ Barrow's assertion is backed up by the grant to Walter of a toft in every royal burgh and residence.¹⁰¹ He was followed as steward after his death in 1177 by his son Alan who was followed in turn post 1204 by his son Walter II. Barrow has argued that the drop in attestation figures for Alan fitz Walter in the 1190s suggests that he was not as frequently at court as his father.¹⁰² His suggestion is that the appointment by William I of clerks of provend and livery to improve the permanent administration of supplies for the household probably ensured that Alan fitz Walter enjoyed a more honorific title than his father with concomitant effects on his attendance at court.¹⁰³ However, Barrow also mentions the fact of royal displeasure occasioned by Alan's dealings with Earl Duncan of Carrick. Alan had arranged a marriage between his daughter and the earl in 1200 whilst the king was away in England. The resulting royal disfavour probable accounts more for the crises in the fitz Alan position than a simple honorific title and a

⁹⁹ *RRS* i, no. 184.

¹⁰⁰ *Ibid*, 31.

¹⁰¹ *ibid*, no. 184.

¹⁰² Barrow's discussion is in *RRS* ii, 34-35.

¹⁰³ *RRS* i, 33. John Prestwich's argument against the purely domestic functions of the household would tend to question Barrow's assertions about the role of the later fitz Alan's. See Prestwich, 'Military Household', 98.

reduced pattern of witnessing. Yet even given royal displeasure one must not argue too strongly for the fitz Alan's fall from grace as they continued to be active within the Clyde estuary during the early years of the thirteenth century as an important agent of royal policy towards the MacSorley lords of the Isles.¹⁰⁴ As such the fitz Alan experience post 1200 corresponds with David Bates's warning against using attestation to infer whether any individual was in or out of favour at court.¹⁰⁵

In respect of the de Moreville family there is a direct correlation between office and witnessing. The two elements here are clearly linked with both Hugh and Richard de Moreville remaining as frequent witnesses until their deaths. The office of constable had been held from *circa* 1140 by Hugh de Moreville. Upon his retirement to Dryburgh Abbey and death in 1162 the constablenesship was held by his son Richard. In 1189 Richard was succeeded in his turn by his son William and after his childless death in 1196 the office passed to Roland and Alan of Galloway, respectively the husband and son of William's sister Helen.¹⁰⁶ In the de Moreville example the linking of office and consistent witnessing is fortuitous and can act as a reinforcement of the suggested prominence of the individuals involved. Yet consistent attestation as suggested above is not a reliable indicator of proximity and power. Certainly after 1196 the attestations of the constable became less frequent. As Keith Stringer has noted for Roland and Alan of Galloway, they operated both within the inner zone of the Scottish Kingdom and the outer or peripheral Atlantic zone. In short they were both constable of Scotland and hereditary chieftan of a semi-

¹⁰⁴ See McDonald, *The Kingdom of the Isles*, ch. 3.

¹⁰⁵ Bates, 'Prosopographical Study', 98.

¹⁰⁶ Alan appears as constable *circa* 1200, *RRS* ii, nos. 428-30, 432, 460.

independent province active on the western seaboard with no apparent lessening of the power and influence of either role.¹⁰⁷ As such, in the de Moreville example, witnessing is an extension of the family's position of proximity and power already established in a variety of forms.

Less obvious in terms of this discussion is the office of chamberlain which was held by a number of men during the period in question. Within the King's chamber it appears that there were several *camerarii regis* working simultaneously under a chamberlain in chief. This office of chief chamberlain was held by a number of men down to 1214. Herbert fitz Bertolf served as chamberlain to David I from *circa* 1136 and continued in his office into the next reign serving until 1159. He was succeeded by a clerk named Nicholas who before the close of the reign of Malcolm IV had been granted the office of chancellor. From thereon until 1171 the position of chamberlain is obscure. It appears that William I did not appoint a chamberlain in chief until Walter de Berkely in 1171, using a number of subordinate chamberlains until Walter's appointment.¹⁰⁸ When Walter died *circa* 1193 his office was taken over by Philip de Valognes who served down to the end of the reign in 1214. What is clear is that three of the men who could be termed chamberlain in chief (Philip de Valognes in particular along with Herbert fitz Bertolf and Walter de Berkely) appear to have had a close association with the crown which is

¹⁰⁷ See Stringer, 'Periphery and Core', 82-113.

¹⁰⁸ The men who appear as *camerarii regis* down to 1171 are, Philip de Valognes *circa* 1161, *RRS* i, no. 255. He also appears in the chamber under William I until 1170, *RRS* ii, nos. 36, 45, 47-48, 59, 69, 75, 106, 111. Robert the chamberlain made an appearance in 1144 in two acts of David I, *ESC*, nos. 163, 250. Edmund the chamberlain appears under Malcolm IV in 1157-58, *RRS* i, no. 139. Also under Malcolm IV we find reference to Ralph and Hugh *de camera* in three royal acts, *RRS* i, nos. 221, 226, 228. Hugh *de camera* appears to have had a son Richard who witnessed a number of the acts of William I in which he is clearly attached to the chamber, *Cambuskenneth Registrum*, no. 121; *Arbroath Liber*, no. 60. Walter de Berkely made his first appearance as chamberlain in 1171, *RRS* ii, nos. 131, 134-36, 148, 153.

reflected in a number of forms including witnessing and attendance upon the King in England with both Philip de Valognes and Walter de Berkely being named in the clauses of the *conventio de Falaise*.¹⁰⁹

The connection between a suggested close proximity to the crown and office can also be seen in the office of butler, a position which finds no clear record from the reign of David I, although King Edgar and King Alexander I appear to have had a butler named Aelfric.¹¹⁰ It is possible that David I granted the office to Ranulf de Soules although the first recorded reference to Ranulf as *pincerna* is an act dated 1153x1162 in which Malcolm IV confirmed a grant made by de Soules in favour of the Hospital of St Peter in York. In this document the reference is, *donacionem quam eidem domui Dei et sancti petri, Ranulfus de Solis pincerna mea dedit*.¹¹¹ Later in the reign of Malcolm IV, Ranulf's nephew, William de Hay was referred to as the King's butler and he continued to hold the title of *pincerna* into the reign of William I.¹¹² William de Hay in particular is further reinforcement for the correlation between witnessing and office. Yet as with the Morevilles it can again be suggested that witnessing was an extension of an already established position of proximity and power. All of the examples given above also point out the essentially complex nature of relationships during this period within which land, office and attestation are interconnected and which a single methodological approach cannot unravel.

¹⁰⁹ *Anglo-Scottish Relations*, 7-9.

¹¹⁰ *ESC*, nos. 20, 36.

¹¹¹ *RRS* i, no. 141.

¹¹² *RRS* , no. 256; *RRS* ii, nos. 69, 84, 102, 106.

Among the major household offices the only position which appears to have no connection with service through witnessing is that of marischal. Geoffrey Barrow has argued that it is doubtful whether the king's marischals were officers of much importance under Malcolm IV as no individual so titled witnessed a royal act during his reign.¹¹³ A number of marischals do appear as witnesses during the reign of David I such as the otherwise unknown Frenchman named Norman and three individuals with Gaelic names, Malodeni, Malise and Ewan.¹¹⁴ It is known that Hervey de Keith held the office under Malcolm IV and named a son and successor Malcolm presumably in honour of the king.¹¹⁵

Hervey was the first of a succession of marischals drawn from the same family and it is possible, given the military nature of the position, that his office held more dignity and importance than Barrow has allowed through an analysis based upon attestation figures. The Marischals were responsible for the provision of horses and were subordinate to the constable.¹¹⁶ Certainly confirmation of a position within the household for Hervey de Keith and his family can be suggested through the analysis of a number of royal charters. Hervey and his sons Richard, Philip and David can all be seen with the court in the testing clauses of a number of confirmations issued during the reign of William I. Hervey and Richard witnessed the confirmation of Robert Avenel's

¹¹³ *RRS* i, 35.

¹¹⁴ *ibid*, no. 6; *ESC*, nos. 109, 144, 209, 224.

¹¹⁵ *Kelso Liber*, nos. 95-97, 99.

¹¹⁶ In this it is perhaps no coincidence that Hervey's estates were situated on the borders of Lauderdale.

grants to Melrose Abbey in 1185.¹¹⁷ Philip Marischal witnessed the great St Andrews confirmation of 1189x1195 whilst his brother David witnessed the confirmation of the burghal privileges of Perth in 1205.¹¹⁸ A number of charters also reveal the presence at court of Herbert Marischal during the period 1189x1195.¹¹⁹ He witnessed a knight service charter granted to Richard de Montfiquet for land in Perthshire as one of twelve recorded witnesses including two earls, the chancellor, the constable and the steward.¹²⁰ He also witnessed three charters for Arbroath Abbey (small grants of land) as part of a group of seventeen witnesses including two bishops, two earls, the chancellor, the constable and the steward.¹²¹ Finally he witnessed the confirmation given to David de Hay in 1195 of his father's land in Errol in which Herbert was one of nineteen witnesses including one bishop, two earls, the chancellor, the constable and the steward. Both Hervey de Keith and his son Philip also witnessed a breve in favour of the bishopric of Moray 1187x1189.¹²² The marischals therefore probably held a position of more significance than Barrow has allowed. Certainly, the office would have given the Keith family more status and proximity to the crown than their landed position would merit without their ever being in the first rank of household officials.¹²³

¹¹⁷ *RRS ii*, no. 264,

¹¹⁸ *Ibid*, nos. 333, 467.

¹¹⁹ The exact relationship of Herbert to the other marischals of the Keith family is unknown.

¹²⁰ *RRS ii*, no. 334.

¹²¹ *Ibid*, nos. 355-57.

¹²² *Ibid*, no. 281.

¹²³ Where the Marischals do appear as witnesses it is invariably below the other great household officers suggesting that they were relatively low in the hierarchy of officials

There were other household offices more or less important and more or less hereditary in character, such as the doorward, the pantler, the foresters and hunters and the serjeants or officers of the *dispensa* which would have given their holders status and proximity to the crown in excess of their landed position. Of this list the officer who is most clearly recognisable from the available evidence from the reign of William I, although we have no record of it under either Malcolm IV or David I, is the *hostiarius*. This officer was connected with the chamber and under William I the position was held by Thomas Durward from Lundie in Angus whose family continued to hold the position with the surname Durward under William I and Alexander II.¹²⁴

As stated above, the correlation between office and witnessing in a number of cases is fortuitous, but it merely illustrates an ongoing theme that relationships with the crown could take a number of forms and operate on a number of different levels. Individuals who held household office occupied a position indicating proximity to the crown in their own right. Where there are links between office and other relationships, they further reflect upon an individual's closeness to power. Above all, office reinforces the argument for a wider political élite than that drawn simply from attestation throughout the period 1153-1214. From the household offices, the closeness to the crown of the families of de Moreville, fitz Alan, de Soules and Keith can be inferred whilst a number of more judicial or administrative positions can also be seen to have been dominated by families established before the reign of Malcolm IV. That these families were also predominantly local and are not usually represented in tables drawn from attestation figures further illustrates the point that power

¹²⁴ *RRS ii*, no. 452. For a discussion of the office and the position of Alan Durward under Alexander II see *ibid*, 39.

relationships involved more than simply the requirements of the authorisation of a preponderant document type.

Shrievalties were held at various times by members of the older (and predominantly local) French families of Lindsey, Ridel, Corbet, Hadden, Maxwell, Melville and de St Martin as well as native landholders such as Simon son of Malbet, Alexander son of Thor or Thorald and Gilbride the sheriff of Dunfermline.¹²⁵ A number of justiciarships were also held by members of these families including as justiciar of Lothian, David and Walter Olifard, Geoffrey de Melville, William de Lindsey and his son David, Robert Avenel and his son Gervase.¹²⁶ A number of native earls also served as royal justiciars including Earl Duncan II of Fife and Earl Gilbert of Strathearn as justiciars of Scotia, Earl Patrick of Dunbar as justiciar of Lothian and Roland son of Uhtred as justiciar of Galloway.¹²⁷ Geoffrey Barrow has written in respect of the judicial offices that under William I great nobles clearly had no monopoly of

¹²⁵ Walter de Lindsey was sheriff of Berwick, Raine, *North Durham*, no. 122; *Kelso Liber*, no. 303. Gervase Ridel was sheriff of Roxburgh until 1141, *ESC*, no. 120. Walter Corbet was sheriff of Roxburgh 1179 x 1198, *RRS ii*, nos. 218-19. Bernard of Hadden was sheriff of Roxburgh in 1213, *ibid*, no. 515. John de Maxwell was sheriff of Roxburgh, *Kelso Liber*, no. 207. Richard de Melville was sheriff of Linlithgow 1196-98, *ibid*, no. 407. Alexander de St Martin was sheriff of Haddington from 1184, *ibid*, no. 250. Simon son of Malbet was sheriff of Traquair from 1184, *ibid*, no. 250. Alexander son of Thor was sheriff of Clackmannan 1205, *ibid*, nos. 452, 486. Gilbride was sheriff of Dunfermline 1165 x 1169, *ibid*, no. 28.

¹²⁶ David Olifard as justiciar of Lothian 1165-71, *RRS ii*, nos. 14-15, 32, 35, 37, 45-6, 107-08. Walter Olifard as justiciar 1173-76 and 1178-89, *ibid*, nos. 162, 195, 197, 199-200, 233, 237, 248. Geoffrey de Melville as justiciar 1175-78, *ibid*, no. 192. William de Lindsey as justiciar 1189-98, *ibid*, nos. 316-17, 366, 401, 406. David de Lindsey as justiciar 1208-10, *ibid*, nos. 481, 483, 493. Robert Avenel as justiciar 1171-74, *ibid*, nos. 129-30. Gervase Avenel as justiciar 1208, *ibid*, nos. 481, 483.

¹²⁷ Earl Duncan appears as justiciar of Scotia forty-five times between 1172 and 1204, *RRS ii*, nos. 134 on to 429. Earl Gilbert appears as justiciar twice 1187x1203, *ibid*, nos. 337, 433. Earl Patrick appears as justiciar of Lothian three times 1195x1205, *ibid*, nos. 381, 400, 460. Roland son of Uhtred appears as justiciar of Galloway three times 1189x1198, *ibid*, nos. 309, 401, 406.

curial offices.¹²⁸ The evidence from this discussion however, suggests that office in general supports the hypothesis that a number of élite groups (including older high status families) not only developed and maintained a position close to the crown in the second half of the twelfth century but also dominated the important household and judicial offices. This discussion would therefore tend to temper the validity of Barrow's argument for a latter twelfth century court within which a small number of individuals drawn mainly from families established post 1165 became the dominant curial element in political society.¹²⁹

The relationships discussed above illustrate that, for many of the individuals established in the localities, the court was not a remote entity but constituted another layer of community which can take its place among the interrelated web of relationships which characterised aristocratic society. In this respect, a powerful and active royal presence provided the focus through which the new aristocracy became fully absorbed into the affairs of the *regnum Scottorum*. This conclusion is valid on a number of different levels and can be relevant not only for those most typically found with the court, but also for the older élites and those more local individuals who rarely figure in tables of proximity drawn from witnessing alone.¹³⁰ Even predominantly local individuals, with infrequent attestations, can be found with the court far from their home localities. In such cases, the court would have acted as a surrogate home community. Indeed for those who were, even infrequently, away with the king the court would have played the same role in creating a common identity as

¹²⁸ *RRS II*, 41.

¹²⁹ *RRS i*, 79.

¹³⁰ The relevance for court attendance on the establishment of wider aristocratic networks in the localities as been discussed in Chapter Two.

that played by geographical considerations in local affairs. Periods of time away from home with the king would have enabled individuals from a number of aristocratic communities to build up relationships with each other and the phenomenon of itineration would have added a further dimension to their relationship with the crown.¹³¹

A number of examples suggest that, even for those with predominantly local interests, the crown represented a powerful motivating factor in noble behaviour. As noted above, the court was the centre of royal and aristocratic business, intrigue and patronage. Whilst it was often resident south of the Forth at one or more royal centres, the court was also frequently away especially during the reign of William I when numerous military operations were needed to quell uprisings in the north as in for example 1179, 1181, 1197 and 1202. As such during the later reign of William I the court was often found at new royal castles north of the Forth in Perthshire, Moray and Ross.¹³² Whilst the exact occasions and motivations which took men often into remote parts are hard to recapture, the realities of an itinerant court would have necessitated travel even for relatively minor landholders who sought the court either on their own or royal business.

During the reign of Malcolm IV, Ansketil de Ryedale from Whitton in Roxburghshire was found with the court at Perth *circa* 1156. He witnessed two royal charters granted to St Andrews Cathedral Priory regarding the

¹³¹ The levels of itineration involved in the attestation of those individuals identified as being close to the crown through witnessing can be seen in Appendix Four.

¹³² See Barrow's outline itinerary in the introduction to *RRS ii*.

church of Longforan in Gowrie.¹³³ In 1160 Philip de Colville and Thomas de Londres were in St Andrews to witness a confirmation of the lands and possessions of St Andrews Cathedral Priory.¹³⁴ Philip de Colville was in Edinburgh in 1162 and witnessed a grant of land in Fife made to Earl Duncan II.¹³⁵

During the reign of William I, William de Vieuxpont was at Elgin *circa* 1171 with John de Vaux from Dirleton in East Lothian and Henry Lovel from Hawick in Roxburghshire witnessing the grant of a feu in West Lothian to William fitz Freskin.¹³⁶ He was also at Linlithgow *circa* 1178 witnessing the King's grant of recompense for the excesses perpetrated against Glasgow Cathedral.¹³⁷ William II de Vieuxpont was at Perth in 1197 with William de Vaux to witness the confirmation of Saer de Quincy's grant of land at Beeth in Tranent to Dunfermline Abbey.¹³⁸ At a date between 1165 and 1174 John de Vaux was at Berwick witnessing the King's order to his officers in Berwickshire that the prior of Coldingham Priory was to have his fugitives wherever they were to be found.¹³⁹ Both Walter Corbet and Bernard fitz Brian travelled from Roxburghshire to Lanark between 1165 and 1168 where they witnessed the royal confirmation of the grants of Edmundeston, Hartside,

¹³³ *RRS* i, nos. 122-23.

¹³⁴ *Ibid*, no. 174.

¹³⁵ *ibid*, no. 190.

¹³⁶ *RRS* ii, no. 116.

¹³⁷ *Ibid*, no. 192.

¹³⁸ *Ibid*, no. 396.

¹³⁹ *Ibid*, no. 44.

Spott and Ringwood to Melrose Abbey.¹⁴⁰ In 1166 Ranulf de Clere travelled to St Andrews from West Lothian where he was a witness to the King's general confirmation of the lands and possessions of Dunfermline Abbey.¹⁴¹ In 1172 Henry Lovel, Walter de Windsor, Walter Corbet and Gilbert fitz Richer were all at Lochmaben to witness the re-granting of Annandale to Robert II de Brus.¹⁴² Ranulf de Clere was at Kinghorn in Fife in 1182 and witnessed the grant of land at Longnewton to Walter de Berkely.¹⁴³

Sometime between 1189 and 1194 Thomas de Colville was at Forfar witnessing the grant of the church at Monikie in Angus to Arbroath Abbey.¹⁴⁴ His brother Philip also witnessed a charter for Arbroath Abbey of land granted to it by Gilcrist earl of Angus given at Alyth *circa* 1204.¹⁴⁵ Finally, William de Brus travelled up to Stirling from Annandale *circa* 1200 and witnessed the confirmation to William de Valognes of his father's lands in Angus.¹⁴⁶ These few examples illustrate the point that itineration was a marked feature of noble attestation. They add to the evidence discussed with relevance for the great confirmation charters. As such, the above allows a number of individuals to be seen in proximity to the crown and provides a wider dimension to the identities of those who, in general, lack representation in witnessing tables during the later years of the twelfth century.

¹⁴⁰ *RRS ii*, nos. 81-83.

¹⁴¹ *Ibid*, no. 30.

¹⁴² *Ibid*, no. 80.

¹⁴³ *ibid*, no. 171.

¹⁴⁴ *Ibid*, no. 328.

¹⁴⁵ *Ibid*, no. 456.

¹⁴⁶ *Ibid*, no. 405.

Both Geoffrey Barrow and Archie Duncan have argued for the existence of a ministerial class among the aristocracy who constituted the king's closest adherents and counsellors.¹⁴⁷ Yet David Bates has argued that a division of the aristocracy into *curiales* and non *curiales* is a fundamentally flawed conception.¹⁴⁸ The evidence from Scotland appears to support this view and suggests that an established élite continued to dominate political society down to 1214 drawn from the families of the native earls and those Anglo-French families settled during the reign of David I. Witnessing was only one form of proximity to the crown and the Scottish evidence of witnessing supports Bates's argument that *novi homines* entered an established élite through service at court.¹⁴⁹

Whilst the position within wider political society of both the older high status families and more local élite groups has to be teased out from a number of different areas, in general the evidence tends to temper the argument for the dominance of the court by a comparatively small curial element. Witnessing, office, attendance on the King in England, solemn court occasions and itineration all illustrate the existence of a wider court society which included the presence of individuals drawn from both older high status families and more local élite groups. Furthermore the evidence reveals that the fragmentation of southeastern society into small communities does not preclude interaction between local society and the more regnal interest groups within the Scottish aristocracy. The means of supplying documentary authority should not therefore be taken as the sole criteria for measuring power and influence and

¹⁴⁷ RRS i, 79; Duncan, *The Making of the Kingdom*, 212.

¹⁴⁸ Bates, 'Prosopographical Study', 101.

¹⁴⁹ *Ibid.*

risks giving a misleading picture of political society in twelfth century Scotland.

An attempt can therefore be made to outline the élite of the court drawn from a wider membership than the narrow confines of attestation figures alone. The nucleus of this élite down to the close of the period in 1214 was drawn from the families of the native earls especially the earls of Fife, Dunbar, Angus, Athol and Strathearn. They were joined by a number of the older Anglo-French families established during the reign of David I including the families of fitz Alan, de Moreville, Avenel, de Soules, de Brus, Ridel, Clere, Corbet, Somerville, Lindsey, Melville and Olifard (many of whom had entered the court themselves through service as *novi homines* during the reign of David I). To this group can be included the family names of a number of individuals who as *novi homines* entered the court during the reigns of Malcolm IV and William I. The families of Valognes, Berkely, Comyn, Quincy, Giffard, Mowbray and de Hay all entered the court through service. This list is of course by no means exhaustive, but the methodology used in compiling it probably gives a closer approximation to the realities of power in twelfth century Scotland than the more narrowly defined group of individuals postulated by Barrow and Duncan. It also allows a more provincial local élite to be seen as part of wider regnal society and can illustrate the way in which various aristocratic groups could interact with each other through the agency of the court.

Ultimately the Scottish evidence reveals the king as the centre of political society. It is in proximity to his person that all of the relationships discussed in this chapter are measured. Accordingly, the court with the king as its

gravitational centre was the main focus of a wider regnal community within which a new and largely provincial aristocracy (in terms of landed power) could become fully absorbed in the affairs of the *regnum Scottorum*. In the final analysis, for a number of groups including the established native élite represented by the earls and the Anglo-French families who joined it, a close association with the seat of power opening up a range of possibilities for patronage and royal favour was perhaps the most important element in the development of wider attachments and the securing of loyalty.

The Creation of Aristocratic Lineages and the development of a Stable Aristocracy.

This chapter returns the focus of analysis to locality and in particular will examine the emergence of aristocratic lineages through hereditary succession. Although hereditary succession in itself is not that remarkable, it carries within it some important ramifications for the creation of mature and stable aristocratic networks and accordingly the discussion will take place against the background of developments in heritable practice in the wider Anglo-French world.¹ During the period 1153-1214, a majority of families in each geographical community had passed through several generations (in a number of examples four generations of settlement were represented) in the direct male line. By the close of the period in 1214, one of the characteristic elements of local society was the continuity and relative security of a number of individual families on well established feus. The following discussion will chart the phenomenon of inheritance from the perspective of individual families and will examine the implications of heredity on the development of local society and the stability of local attachments.

The incidence of succession in Scotland took place against a background of developments in heritable practice in the wider Anglo-French world which have been the subject of a number of relatively recent discussions. Georges Duby has examined hereditary practice among the twelfth century French aristocracy. He

¹ A number of good discussions examine the development of heritable practice in the wider Anglo-French world. See G. Duby, *The Chivalrous Society* (London, 1977); J. Hudson, 'Life Grants and the Development of Inheritance in Anglo-Norman England', *ANS* xii (1989), 67-80; J.C. Holt, *Colonial England 1066-1215* (London and Rio Grande, 1997).

has written that in twelfth century France there was a strengthening of the solidarity of blood relations in matters concerning inheritance leading to the emergence of a truly lineal family structure. He has noted that linear arrangements emphasising male primogeniture were widely adopted throughout the French aristocracy in the twelfth century.² From an Anglo-Norman perspective, Sir James Holt has written that although rules of succession remained complex in the twelfth century, the increasing coincidence of lineage, family property and family surname ensured that the notion of hereditary succession became conventional.³ This can be seen in the increasing use of inheritance language in available charters. John Hudson has suggested that the use of inheritance language strengthened an heir's claim to succeed. He has contrasted grants for life with grants to a man and his heirs and he has concluded that such distinctions sharpened contemporary notions of tenure forcing men towards ideas of heritability and ownership.⁴

According to Hudson's analysis, the use of such phrases as *in feudo et hereditate* in land grants implies that by the second half of the twelfth century the formulae of inheritance had become customary. Notions of hereditary succession were thus becoming more commonplace in the Anglo-French world during the twelfth century. Of course succession was not always simple and there were many circumstances in which there was no convenient practice or custom. As Sir James Holt has noted, even the greatest noble might fall foul of the *malevolentia Regis* and suffer dispossession and family disinheritance. Accordingly, rules of succession were often applied in political circumstances

² Duby, *Chivalrous Society*, 71, 100.

³ Holt, *Colonial England*, 127, 145, 170.

⁴ Hudson, 'Life Grants', 76-77.

quite unsuited to them.⁵ Yet in general by the second half of the twelfth century hereditary succession was becoming common and abstract notions of landownership did exist with considerable progress being made towards strictly-defined inheritance.⁶

The settlement in southeastern Scotland was thus developing at a time when legal theories regarding proprietary rights and obligations were developing in England and the wider Anglo-French world. In twelfth century Scotland the language of surviving charters of infestment shows a correspondence with wider continental practice and implies heredity. For example, when David I granted the Roxburghshire feu of Whitton to Walter de Ryedale *circa* 1146 the charter stated that the land was granted, *sibi et heredibus suis ad tenendum de me et heredibus meis in feudo et hereditate libere per servicium unius militis*.⁷ In a similar fashion, when Malcolm IV confirmed his grandfather's grants to Walter fitz Alan in 1161 the charter states that the king, *concessi et hac carta confirmaui Waltero filio Alani Dapifero meo et heredibus sui in feudo et hereditate donationem quam Rex David auus meus ei dedit*...⁸ Such examples could be multiplied and all contain a variant of the formula *sibi et heredibus suis in feudo et hereditate*. Whilst such language may represent a scribal formula, it is likely that it in fact mirrors contemporary realities. The formula is unlikely to have become common unless the idea behind it was regarded as normal. That the recipients of such grants regarded their feus as being heritable can be seen in the language of their own charters detailing their benefactions to

⁵ Holt, *Colonial England*, 127.

⁶ A point discussed in Hudson, 'Life Grants', 80.

⁷ *RRS* i, no. 42.

⁸ *Ibid*, no. 184.

monastic houses. There was a cohesive bond between inheritance and endowment and grants made in perpetuity asserted or implied that in some way the benefactor had more than a life interest in what was given.⁹ Accordingly, grants made in perpetuity and inherited tenure were related with *elemosina* being the ecclesiastical equivalent of *hereditas*.

Examples of benefactions made *in perpetuam elemosinam* are too numerous to list. However, a few examples from the Melrose Cartulary can illustrate the point that benefactors to Scottish monastic houses regarded their property as being held through hereditary right as expressed in grants made in perpetuity. Walter de Lindsey's grant of his feu at Falhope was granted *in perpetuam elemosinam* as was the land granted in Eskdale by Robert Avenel who included a clause that he and his heirs would defend the monks against the claims which others might make to the donated land in the future.¹⁰ The grant made by Robert de Kent on his feu at Innerwick stated that the land was to be held, *in liberam et puram et perpetuam elemosinam ad tenendum de me et heredibus meis in perpetuam...*¹¹ Lastly, the grant made by Roger fitz Glai of land and pasture on his feu at Innerwick was to be held, *de me et heredibus meis in puram et perpetuam elemosinam libere et quiete et solute ab omnibus serviciis et exactionibus...*¹² These few examples are representative of the type of language used in monastic benefactions from southeastern Scotland. They illustrate the point that the language of inheritance in donation charters ensured

⁹ See comments in Holt, *Colonial England*, 204.

¹⁰ Walter's grant is detailed in *Melrose Liber*, no. 12. The grant made by Robert Avenel is detailed in *ibid*, no. 39.

¹¹ *Ibid*, no. 59.

¹² *Ibid*, no. 60.

that every act of perpetual endowment involved the donor's heir, and as such they were involved not simply with inheritance but with heritability. It is thus possible to suggest that from the earliest years of the settlement there was a culture of heritability which had important implications for the development of local attachments. Such a culture would, within a few generations, have enabled individual families to become firmly established as constituent parts of their local society on secure and well established feus.

However, one must sound a note of caution regarding the ubiquity of the triumph of primogeniture. Such a notion was not consistent across the whole of Scotland during the period in question. In outlying areas such as the western seaboard the principle of partible inheritance among heirs was still in force.¹³ Furthermore, given the above the succession of the crown itself was hardly secure. The Canmore kings were only one of several lines of claimants going back to the 1090s and had to face the repeated prospect of revolts in the north of the kingdom.¹⁴ The accession of Malcolm IV has been called the first real evidence of royal primogeniture, yet the progress around the kingdom made by the young heir accompanied by the Earl of Buchan in 1152 shows that there was some concern over the security of his succession.¹⁵ Furthermore William I had his son Alexander recognised twice as his heir in 1201 and 1214 which suggests that even in the very highest reaches of the court circles there was still some lingering nervousness about the principle of primogeniture in the face of rival claims. Yet whilst the principle was not uniformly applied across the whole

¹³ See comments on the divisions of the MacSorley family, lords of the Isles following the death of Somerled in 1164. McDonald, *The Kingdom of the Isles*, Ch. 3.

¹⁴ The other claimant families were the MacWilliams, descendants of William, son of Duncan II and the family of MacHeth whose origins are more obscure.

¹⁵ See comments in Lynch, *Scotland*, 85.

of the Scottish Kingdom, in general south of the Forth (in the sample areas), the principle of hereditary succession seems to have become accepted practice across the spectrum of the nobility both native and colonial. Accordingly attention needs to be paid to the establishment of a number of aristocratic lineages in each of the sample communities identified in previous chapters and analysis must also examine the extent of hereditary succession across the south east as a whole by the close of the period in 1214.

In Roxburghshire a number of changes had taken place by 1214. These changes ensured that a number of families had established lineages of two and three generations by the close of the period. In the community established in the Yetholm area a number of feus had been passed on to succeeding generations by 1214. At Yetholm itself, a second generation of Corbet lordship was in place through the succession of the brothers Walter II and Robert from their father Walter I.¹⁶ At the modern village of Kirk Yetholm, three generations of le Nains had held their feu in direct linear succession by 1214. Ralph I le Nain was succeeded in turn by his son Richard and grandson Ralph III.¹⁷ On the de Ryedale feu at Whitton the land had originally been passed on from Walter I de Ryedale to his brother Ansketil in 1164.¹⁸ Subsequently by 1214 the lordship was firmly in the hands of an established de Ryedale lineage of three generations. By the close of the period Ansketil had been succeeded by

¹⁶ The Corbet brothers are mentioned in *Melrose Liber*, nos. 113-14. There was also a younger brother, Patrick Corbet, whose seal appears on the grant made by Walter and Robert of land at Clifton to Melrose Abbey. See Black, *Surnames*, 170. The Corbet family remained at Yetholm into the thirteenth century. Although the heir of Walter II was his daughter Christina (died in 1241) she married a younger son of the Earl of Dunbar and their son and heir Nicholas took his maternal surname. See *APS*, i, p. 409-10.

¹⁷ The le Nains are discussed in Barrow, *Anglo-Norman Era*, 188.

¹⁸ Ansketil sought and received a papal confirmation of his inheritance which may indicate some question as to his right to succeed. The confirmation is detailed in Lawrie, *Annals*, xv.

his son and grandson Patrick and Walter II.¹⁹

At Hownam, the feu of the native landholder Orm had also moved through three generations of linear succession when his grandson William succeeded his father John late in the reign of William I.²⁰ A second native feu at Elstanehale had passed on to a second generation by 1214 through Simon of Elstanehale having succeeded his father Uhtred at an unspecified date during the second half of the reign of William I.²¹ The estates of Anselm de Mow were passed on to his two daughters Isolda and Matilda and their husbands Alexander fitz William and Richard de Lincoln thereby effectively dividing the feu among new landlords before a de Mow lineage could become established.²² The succession history of Walter de Windsor at Clifton, Geoffrey fitz Waldef and Robert Burnold at Whitton, and Geoffrey Cocus at Chatto along with the Mow landholders Simon de Malverer, Gilbert Avenel and William de Mow remains unidentified.²³

The situation in Tweeddale reveals a similar mixed pattern of inheritance. At Heiton, the feu of Henry de Percy passed on into the hands of Philip de Colville circa 1164 effectively ending Percy involvement in southern Scotland.²⁴

¹⁹ The de Ryedale succession can be seen in *Melrose Liber*, nos. 156, 158.

²⁰ Both John son of Orm and William son of John can be seen in *Melrose Liber*, nos. 130-31.

²¹ *Melrose Liber*, no. 119. Simon of Elstanehale was succeeded in his turn by his son John who was still active in 1250; *Laing Chrs*, no. 9.

²² The co-heiresses and their husbands are found in *Kelso Liber*, nos. 156, 158.

²³ It is known that Walter de Windsor had a brother called Robert, who appears towards the close of the period. See, *ibid*, 215. The Somerville family who also held land in the area at Linton had moved into a third generation by the close of the period, see Barrow, *Anglo-Norman Era*, 194.

²⁴ The change from Percy to Colville is discussed in Barrow, *Anglo-Norman Era*, 177.

However, by 1214 three generations of Colvilles had been in possession of the feu in linear succession when Thomas fitz Philip was succeeded in his turn by his son William late in the period.²⁵ At nearby Hadden Bernard II de Hadden had succeeded his uncle Bernard fitz Brian by the last decades of the reign of William I.²⁶ At St Boswells, Thomas de Londres was succeeded by his nephew Robert de Londres who in turn had passed the feu on to his son Richard by 1214.²⁷ At Fairnington three generations of the de Farburne family had been in possession of the feu by 1214 when Simon de Farburne was succeeded by his son Robert and grandson Roger.²⁸ However, close by at Maxton the marriage of Alina, the daughter of Robert de Berkely to Hugh de Normanville witnessed the feu pass on into the hands of her husband's family before a Berkely lineage could become established. Lastly, the feus of Roger Burnard at Fairnington, Ralph de Ver at Sprouston and Peter de Haig at Bemersyde appear to have remained in their hands down to 1214.

In the central area of the county in the region of Hawick, the feu of Philip de Valognes at Teviothead had passed on to a second generation by 1215 when

²⁵ The Colville succession history is discussed *ibid.* William de Colville can also be found in *Newbattle Registrum*, no. 189.

²⁶ Bernard II de Hadden is found confirming his uncle's grants as heir in *Kelso Liber*, no. 213. Bernard II was still alive in 1230 and he remained an active benefactor of Kelso Abbey. See *ibid.*, no. 269. He was succeeded by his son Aymer de Hadden who granted land at Hadden to Soutra Hospital. See Black, *Surnames*.

²⁷ The succession history of the de Londres family can be traced through *Melrose Liber*, no. 88; *Dryburgh Liber*, nos. 53-54, 56, 59; *Kelso Liber*, no. 139.

²⁸ Farburne succession history can be traced through *Kelso Liber*, no. 268; *Melrose Liber*, no. 140.

William de Valognes succeeded his father.²⁹ At Hawick itself, Richard Lovel was the third generation of his family to hold the feu having succeeded his father Henry and his grandfather Ralph at an unspecified date during the later years of the reign of William I.³⁰ At nearby Ashkirk, Andrew de Synton was succeeded by his son Alexander I de Synton.³¹ Finally at Bedrule (and West Linton in Peeblesshire), William Comyn had inherited the feu from his father Richard early in the reign of William I.³² In Roxburghshire therefore, thirteen feus, had been passed on to succeeding generations of the same family by 1214. The succession history of nine feus is either unidentified or remained in the first generation by the close of the period. Within the families which retained their feus through succeeding generations, eight were at the second generation and five had been passed on to a third generation by the close of the period under discussion. Finally, two feus had been passed on through the marriage of heiresses to a new family through a failure in the male line.

The situation in Lothian can be illustrated through an examination of the succession history of the feus established in the Haddington area. In general this region shows similar characteristics to the examples presented in Roxburghshire and reveals a mixed pattern of inheritance within a specific geographical area.

²⁹ Philip de Valognes had passed his outlying Roxburghshire properties to his son by 1214. We find William in Roxburghshire by 1214 as detailed in *RRS* ii, no. 405. However, William de Valognes died in 1219 being succeeded by three daughters. The marriage of Christina de Valognes to Peter de Maule effectively brought Valognes lordship in Angus and Roxburghshire to a close, their issue taking the name Maule. See Black, *Surnames*, 791.

³⁰ The early history of the Lovel family at Hawick has been outlined in Barrow, *Anglo-Norman Era*, 184-85.

³¹ See Black, *Surnames*, 728. Alexander de Synton was succeeded later in the thirteenth century by his son Alexander II who witnessed a charter for Glasgow Cathedral *circa* 1260, *Glasgow Registrum*, no. 216.

³² William Comyn's succession is suggested through his grants to Kelso Abbey as detailed in *Kelso Liber*, nos. 367, 480.

At Morham, Thomas de Morham was the second generation of the Malherbe family to hold the feu by 1214.³³ At nearby Hailes, the feu passed from Oliver fitz Kyle to his brother Odard who was in turn succeeded by his son Adam and grandson Laurence.³⁴ On the feu at Seton, the estate was passed on directly through three generations of the Seton family when Alexander II de Seton succeeded his father Philip and his grandfather Alexander *circa* 1196.³⁵ The Graham family at Cousland had passed directly into at least a third generation by 1214 when Henry de Graham succeeded his father Peter de Graham³⁶ At Pencaitland, Everard de Pencaitland was succeeded by his son Walter fitz Everard.³⁷ At Yester, William Giffard had succeeded his father Hugh by the close of the period whilst Saer de Quincy had also succeeded his father Robert late in the 1190s.³⁸ At Gullane, John de Vaux was succeeded by his son William who in his turn was succeeded in 1213 or 1214 by his brother John II de Vaux.³⁹ Alexander de St Martin's feu at Athelstaneford appears to have been

³³ *Newbattle Registrum*, nos. 87, 100. In the thirteenth century, the feu has passed on to Thomas's half brother Adam (son of Ada de Malherbe and William de Colville) who took the surname Morham and was active *circa* 1249. See *APS*, i, 413.

³⁴ *Newbattle Registrum*, no. 78.

³⁵ Philip de Seton is found in *RRS ii*, no. 200. Alexander II is found in *ibid*, no. 390. Later in the thirteenth century, a Serlo de Seton is found in possession of the feu and was active *circa* 1250. He was presumably a son of Alexander II although the exact relationship is unknown. See *Arbroath Liber*, no. 266.

³⁶ *Newbattle Registrum*, nos. 7-9. Barrow makes it clear that the early succession history of the Grahams cannot be established with any real certainty. See notes to, *RRS ii*, no. 125. Henry de Graham married the daughter of Roger Avenel and in 1243 he inherited in right of his wife the large Avenel estates in Eskdale (these remained in the hands of the Graham family until the sixteenth century). See Black, *Surnames*, 367.

³⁷ *Kelso Liber*, no. 369. *circa* 1250 John de Pencaitland the son of Walter fitz Everard was in possession of the family estates. See *St Andrews Liber*, no. 388-89.

³⁸ The inheritance of William Giffard is seen in *Newbattle Registrum*, no. 82. For Saer de Quincy see *Holyrood Liber*, no. 37; *Newbattle Registrum*, no. 65; *Dryburgh Liber*, no. 154.

³⁹ See *Dryburgh Liber*, nos. 26-27, 105. John II de Vaux was succeeded by his son Alexander who was active in 1240. See Black, *Surnames*, 792-93.

divided up between his daughters Ada and Ella who brought her half of the feu to her husband Thomas de Morham.⁴⁰ Finally, the feu of Simon Fraser at Humbie appears to have remained in his hands down to 1214 and other members of his family remain unidentified.⁴¹

Thus in the Haddington community 80% of the feus had passed on to succeeding generations of the same family with only the feu of Simon Fraser remaining in the first generation and the feu of Alexander de St Martin being divided between co-heiresses. Seven of these feus were passed on directly through the male line and one feu continued in the male line after an initial female inheritance. By 1214, 50% of the Haddington community were second generation and 20% were third generation by the close of the period under discussion. Throughout the southeastern region the picture which emerges is one of a mixed pattern of inheritance with the onus being upon some documented change within a majority of the feu holding aristocracy. The figures for the whole of the sample areas are presented in Table four.

⁴⁰ Late in the reign of William I, Ada de St Martin is found in possession of part of her father's land in *RRS* ii, no. 517. Ella and her husband Thomas confirmed her father's grants to Newbattle Abbey as detailed in *Newbattle Registrum*, no. 102.

⁴¹ Black notes that a Gilbert Fraser may have possibly succeeded Simon early in the thirteenth century but this cannot be substantiated by the available evidence. Also the exact relationship of Gilbert Fraser to Simon remains unknown. See comments in Black, *Surnames*, 278.

Table Four. The Pattern of Hereditary Succession 1124-1214.

County	Number of Landholders	Unidentified Succession	Second Generation	Third Generation	Transferred
Roxburghshire	24	9	8 (male line 7)	5 (male line 3)	2
Lothian	33	9	17 (male line 12)	6 (male line 4)	1
Sample as a whole	57	18	25 (male line 19)	11 (male line 9)	3

It can be seen from the figures presented above that over half of the feus held in the region had been passed on to succeeding generations within the same family by 1214. The succession history of 36% of landholding families either remains unidentified or remained at first generation by the close of the period. Within those feus which did pass on to succeeding generations, 70% were passed on directly in the male line and 30% remained in the male line after an initial female inheritance. In the final analysis, 41% of the feu holding aristocracy established in the south east were second generation and 20% were third generation by the close of the reign of William I. These figures are significant. Over half of the total sample of known feus established in the region had been passed on to a succeeding generation or generations by the beginning of the thirteenth century. Remarkably few estates had been transferred or passed on through female inheritance by 1214.⁴² The enjoyment of relatively secure succession appears to have been a characteristic element of southeastern local society reinforcing the importance of the linear family to the development

⁴² This is in contrast to the situation in England where Sir James Holt has noted a marked tendency for there to be a failure in the male line among the post conquest families leading to the increased inheritance of cadet lines and new configurations occasioned by female inheritance. See comments in Holt, *Colonial England*.

of local associations. Heritability enabled individual families to put down roots in their local community and underpinned existing local and county ties through continuity. Within the various geographical communities outlined above it would appear that there was an increasing convergence of lineage and family property. The importance of this convergence can be further illustrated through the analysis of toponymic surnames and the recurrent use of family Christian names in a number of specific examples.

A number of the families established in Roxburghshire had taken toponymic surnames by 1214. In the south east of the modern county in the Yetholm area, three toponyms were in use in contemporary or near contemporary charters. Two of these names have a connection with the de Ryedale feu in the area of Whitton. Geoffrey fitz Waldef, a minor landholder on the Whitton feu was referred to as Geoffrey de Lilliesleaf presumably after he had inherited his father's small feu in that village (close by Whitton itself). Geoffrey's toponym was used in both of the charters which detail his grant of three bovates of his land at Whitton to Melrose Abbey.⁴³ Also found on the Whitton feu was Ansketil de Whitton who may have been a member of the de Ryedale family (Ansektil was a baptismal name among the lords of Whitton) who took or was given a toponym from his family's property.⁴⁴ Anselm, who held land at both Mow and Whitton was usually referred to as Anselm de Mow in all of the charters which detail his monastic benefactions.⁴⁵

⁴³ *Melrose Liber*, nos. 156, 158.

⁴⁴ Ansketil de Whitton witnessed the grant of land at Clifton made to Melrose Abbey by Walter de Windsor late in the reign of William I. See *ibid*, no. 116.

⁴⁵ *Ibid*, nos. 134-35, 137.

In Tweeddale, the nephew and heir of Bernard fitz Brian, the lord of Hadden was referred to as Bernard de Hadden in a number of Kelso Abbey charters which confirm and augment the grants made by his uncle Bernard.⁴⁶ Finally, the lord of Ashkirk and Synton in the Hawick area was referred to as Andrew de Synton in the charter granting him the heritable office of sheriff of Selkirk and his descendants continued to use the toponym into the late thirteenth century.⁴⁷ Family Christian names also occur within a number of the aristocratic lineages established in Roxburghshire. The names Walter and Robert occur in both of the generations of the Corbet family to hold their feu at Yetholm by 1214.⁴⁸ The name Ralph appears in two of the three generations of the le Nain family to hold land in the modern village of Kirk Yetholm.⁴⁹ On the de Ryedale feu at Whitton, Patrick de Ryedale named his son and heir after his uncle Walter, the original founder of the family estates.⁵⁰ Finally in Tweeddale, two Bernards are found as lords of Hadden.⁵¹ These, admittedly isolated examples, are important in that they correspond to the suggestion that the establishment of lineages often involved the important convergence of property, family names and toponymics.

⁴⁶ *Kelso Liber*, nos. 205-06, 213. Bernard's descendants continued to use the surname Hadden into the thirteenth century. See references to Aymer de Hadden in *Soutra Registrum*, no. 26.

⁴⁷ See *RRS* ii, no. 581A; *Glasgow Registrum*, no. 216.

⁴⁸ Walter Corbet and his brother Robert (who for a time under David I had also held a small feu at Maxton in Tweeddale) were succeeded at Yetholm by Walter's sons Walter II and Robert II as detailed in their grants to Melrose Abbey, *Melrose Liber*, nos. 113-14.

⁴⁹ The le Nain family names are discussed in Barrow, *Anglo-Norman Era*, 188.

⁵⁰ *Melrose Liber*, nos. 166-67. Ansehtil was also a baptismal name possibly used in several generations of the de Ryedale family; Lawrie, *Annals*, xv.

⁵¹ *Kelso Liber*, nos. 205-06.

A slow growth in the use of toponyms and family Christian names can also be seen in Lothian. In the Haddington area a number of families had taken toponymic surnames by 1214. On the Malherbe feu at Morham, Thomas de Malherbe was referred to by the toponym of Morham in two Newbattle Abbey charters which detail his grants to the community of land at Morham.⁵² Alexander de Seton was identified by his feu at Seton in Tranent in two charters from Dunfermline Abbey.⁵³ Finally, at Pencaitland, Everard de Pencaitland was also identified by his feu in the Kelso Abbey charter which detailed his grant of Pencaitland church.⁵⁴ Elsewhere in Lothian there are three more examples of individuals being referred to by surnames taken from their feus. Robert fitz Fulbert from Stenton in East Lothian was also known as Robert de Stenton and he was referred to as such in a Melrose Abbey charter detailing his grant to the community of five acres of land on his feu.⁵⁵ A Kelso Abbey charter also reveals that the son-in-law of Nicholas de Cotentin was known as Roland de Innerwick during the reign of William I.⁵⁶ Finally, the King's marshals Hervey and his son David from Keith on the borders of Lauderdale were known from the first by their toponym.⁵⁷ In total, 20% of the

⁵² *Newbattle Registrum*, nos. 87, 100. Thomas's half brother Adam who had succeeded him by 1249 also used the toponym of Morham as his surname. See *APS*, i, 413.

⁵³ *Dunfermline Registrum*, nos. 177-78. Alexander's descendants used the toponym of Seton as their surname in the thirteenth century. See *Arbroath Liber*, no. 266. Alexander II de Seton's sister Emma married an otherwise unknown Adam who took de Seton as his surname. See Black, *Surnames*, 718-19.

⁵⁴ *Kelso Liber*, no. 370. The surname Pencaitland continued to be used by Everard's descendants into the thirteenth century with John de Pencaitland being active in 1250. See *Newbattle Registrum*, no. 66; *St Andrews Liber*, nos. 388-89.

⁵⁵ *Melrose Liber*, no. 63.

⁵⁶ *Kelso Liber*, no. 250.

⁵⁷ See *ibid*, nos. 95-96. According to Black, David de Keith's brother-in-law Philip also took the surname Keith becoming in his turn a royal marischal and eventual holder of the Keith estates, Black, *Surnames*, 584.

sample of landholding families established across the south east of Scotland had taken or used a toponym from their Scottish estates by 1214 and in a number of cases these surnames continued in use well into the thirteenth century and beyond.

Within Lothian there was is also some evidence for the the use of family Christian names. At Gullane and Dirleton, the brother of William de Vaux who inherited the feu after his death was named John after their father John I de Vaux who had been granted the feu during the reign of Malcolm IV.⁵⁸ On the Graham feu at Cousland near Haddington, Henry de Graham gave his Christian name to his eldest son.⁵⁹ Elsewhere in Lothian, there were two generations of the name Ralph on the Clere feu at Cranston in West Lothian.⁶⁰

Although the examples of toponyms and family Christian names are not extensive, when taken alongside the establishment of family lineages through two and three generations they do suggest that, in Scotland as elsewhere in the Anglo-French world, aristocratic succession included much more than the simple fact of heredity. The consciousness of house and family was expressed through the generations by a number of related elements including family property, religious benefactions and the bearing of both patronymics (David, Walter and Ralph being favoured examples) and toponymic surnames such as Hadden, Gordon, Fraser and Keith. These elements were slowly developing in southeastern Scotland and combine to reinforce the suggestion made in previous chapters that family lineages were a major constituent part of local

⁵⁸ *Dryburgh Liber*, no. 105.

⁵⁹ *Newbattle Registrum*, nos. 7-8.

⁶⁰ Ralph de Clere was followed at Calder by his son Ralph II, *Kelso Liber*, nos. 272, 348-49.

society. Family history was thus an important element in the interconnection of associated influences and ties which helped to determine an individual family's identity. Indeed, the establishment of aristocratic lineages in the south east of Scotland bears witness to the strength of local attachments for as Georges Duby has written, the consciousness of house and family was expressed through the generations by a number of elements including family property and the bearing of both patronymic and toponymic surnames.⁶¹ These elements were slowly developing in twelfth century Scotland and their combination suggests that individual families were beginning to find their place as constituent parts of their local society. By the close of the period in 1214, a relatively high percentage of local families had put down roots in their localities through a number of generations, a situation which created both maturity and stability within the feu holding community. The development of lineages helped to underpin the aristocratic presence in the localities which, despite its relative newness was by the close of the period in 1214 developing as an integral part of a multi-facted and interlinked local society.

⁶¹ Duby, *The Chivalrous Society*, 139.

Conclusion: The Creation of an Aristocratic Community and the Development of Local Society in Southeastern Scotland.

By isolating and examining in detail the ties and associations which bound the Anglo-French settlers together in the south east of Scotland this thesis has revealed that social relationships for the majority of minor landholders did not conform to a single generalised type. This is in contrast to the relationships, widely described and discussed, that obtained within the great lordships. Whilst retaining a place for superior lordship, the detailed study of a number of associations has suggested that local society was characterised by the interaction of a number of social groups and provides a more multi-faceted picture of social relationships between individuals and families than a strict feudal presentation of society would allow. This thesis widens and elaborates the picture of society currently presented by the body of Scottish historiography with its emphasis on feudalism as the central and defining element in relationships between individuals and groups.¹

The analysis of relationships has found that native landholders were not *systematically* discriminated against or replaced by an incoming Anglo-French élite on a major scale. The study of relationships within a number of specific locations has revealed that in each case, prominent native landholders remained as constituent parts of their local society without any apparent detriment to their social position. It is true that some individuals had Anglo-French lords placed over them, but this does not appear to have affected their freedom to

¹ For the main tenets of the approach taken in the body of older secondary literature see Chapter One.

alienate or inherit their land.² Furthermore, in post Davidian Scotland it was still possible for native landholders to rise to positions of some prominence in their localities.³ This is not to suggest that there were no shifts in the local balance of power, but in general the situation in the south east does not appear to correspond to Keith Stringer's suggestion that native landholders largely fell outside the community formed by the incoming élite to the detriment of their tenurial security.⁴ Of course one may not argue that local society formed a single homogeneous aristocratic community, but considerations such as locality, marriage, kinship and social linkages, lordship and royal influence all tended towards the development of integration and cut across ethnic boundaries.

The evidence from southeastern Scotland indicates strongly that the various local communities which grew out of settlement were rooted in geography. Indeed one of the main characteristics of local society during the twelfth century was the fragmentation of regional society into small geographical communities. The examination of the landholding patterns within a number of sample areas has revealed that individual landholdings were established in small local groupings. The topography of each locality made for relatively clear boundaries offering some geographical specificity to each location. As such the

² For example, on Philip de Valognes's feu at Teviothead in Roxburghshire, the native landholder Osulf son of Uhtred continued to hold his land at Ringwood and alienated part of it to Melrose Abbey during the reign of Malcolm IV without apparent reference to superior lordship. See *Melrose Liber*, nos. 9-10.

³ The Maxwell family, scions of the family of Liulf son of Maccus from Makerstoun in Tweeddale, continued as prominent landholders in Roxburghshire and Galloway with John Maxwell becoming for a time Sheriff of Roxburgh late in the reign of William I, *Kelso Liber*, no. 140; Barrow, *Robert Bruce*, 318. Traquair in Roxburghshire became the site of a sheriffdom after 1184 and was held from the first by another native landholder Simon son of Malbet. See *Newbattle Registrum*, no. 81.

⁴ Stringer's argument was formed with reference to the position in the lordship created for Earl David in north east Scotland. See Stringer, *Earl David*, 90.

fragmentation of local society in southeastern Scotland corresponds to the presentation of rural society offered by Léopold Gênicot whose definition of local communities includes both geographical specificity and self-consciousness.⁵ Within each locality the close geographical proximity of a number of individual landholdings is a marked feature of the Anglo-French settlement.⁶ Established alongside existing native landholdings, the settlement of a number of French families in each location made for a relatively close knit pattern of lordships in each local area. The pattern is broadly similar across the south east and, as settlement progressed throughout the twelfth century, new feus were fitted in alongside more established landholdings. In each locality geography provided the basic associations between individuals and provided the boundaries within which further ties and relationships could develop as the century progressed.

Analysis of the evidence for the development of social groups within specific boundaries has indicated the importance of family associations as a major constituent part of local society. Kinship ties were one of the defining features of local society helping to provide a network of social and local relationships through the creation of marriage ties and the development of wider family groups. Marriage ties appear to have been consciously employed as a channel for the creation of aristocratic networks within each locality and the available evidence from the south east testifies to the development of relationships through marriage and wider kinship ties.⁷ This consciousness of family is suggested in the *pro anima* requests attached to individual monastic

⁵ Gênicot, *Rural Communities*, 4-5, 108-10.

⁶ See discussion on Chapter Two.

⁷ See discussion in Chapter Two, 53-59.

benefactions. Requests for the souls of ancestors and successors form the second largest group after requests for the donor's own soul. As well as these more general forms, there is a particularly striking number of requests for the donor's parents and spouses with requests for fathers being slightly more prevalent than any other.⁸ These levels of concern for, and the variation within the kindred included in *pro anima* requests indicate strongly the important role of the family in local society.

In general, local society was characterised by the interaction of a number of elements including proximity, kinship and lordship. These local interactions were given dynamic significance through the witness of local benefactions which not only illustrate the local focus of concerns within each locality but also reveal the extent of collective action involved in transactions of predominantly local importance. The prevailing pattern of witnessing from the localities illustrates the involvement of the wider community in local affairs but they also indicate the prominent role that could be played by specific lordship and family groups.⁹ They accordingly reinforce the suggestion that social relationships were multi-layered and involved the interaction of a number of local groups within each geographical location. The witness of predominantly local transactions indicates that a relatively high level of interaction was an important element in the development of local aristocratic networks corresponding to Susan Reynold's argument for collective activity as a major constituent part of community development.¹⁰

⁸ See discussion in Chapter Three.

⁹ See discussion of charter witnessing in the Yetholm area and the involvement of the lordship group centred upon the de Ryedale feu at Whitton in Chapter Two.

¹⁰ Reynolds, *Kingdoms and Communities*, 87-93.

This thesis has also illustrated the important role played by religious affiliations in the integration of local society. The investigation of the distribution of religious patronage in the south east of Scotland has indicated the centrality of the church to the development of social relationships and aristocratic networks in the localities. Religious patronage established relationships on a number of different levels, between donors and their recipient houses and between individuals and families with common patronage being part of a developing common identity which bound aristocratic society together. Judicious use of patronage could also help to stabilise relationships within individual lordships and as such could provide an important indication of the uses of aristocratic power. Analysis of patterns of patronage from southeastern Scotland can reveal much about the social context in which benefactions took place and indicates that religious affiliations involved the interaction of a number of associations and social forces within a local framework; kinship groups, lordship, locality and royal influence. Joel Rosenthal has argued that in the later middle ages, people were always free to decide where and when to give donations.¹¹ Yet it is clear from the twelfth century Scottish evidence that the majority of benefactors worked within the framework provided by their local society, developing and maintaining links with their local monastic communities and churches. In this respect the heirs of donors maintained the links with the monastic communities patronised by their ancestors. Patronage was accordingly heavily influenced by locality and the ties of kinship; as Emma Cownie has noted, to refrain from gift giving was thus to stand apart from the interlinked social structures of the local society.¹²

¹¹ Rosenthal, *The Purchase of Paradise*, 124.

¹² See discussion in Cownie, *Religious Patronage*, 210.

Southeastern local society was also heavily influenced by a powerful royal presence. The region was not in general remote from the centres of power in Scotland and contained a number of important royal centres such as Roxburgh, Berwick upon Tweed, Edinburgh and Jedburgh.¹³ Throughout the period covered in this thesis, the court travelled frequently to one or more of the royal centres in the region and a number of the more important members of local society can often be found at court when it was present in the region.¹⁴ The influence of the crown was also signalled by the number of royal monasteries established in the area and which formed the main focus of the local aristocracy's religious affiliations. The awareness of the presence of the crown is illustrated by the relatively high number of *pro anima* requests for the king and the royal family found in donation charters from the region. Royal requests can be found in 41% of the total sample of one hundred and forty seven charters from the south east. Local loyalties were thus given a wider regnal dimension through royal influence and the high percentage of *pro anima* clauses which include the king indicates that for the relatively minor landholders in the south east, one of the characteristics of local society was a powerful royal presence and the concomitant awareness of being part of a wider regnal community centred upon the king.

In general, the Scottish evidence reveals the king as the centre of political society. It is in proximity to his person that aristocratic relationships and the exercise of aristocratic power are ultimately measured. The court with the king as its gravitational centre was the main focus of a wider regnal community

¹³ Given the number of royal centres and institutions in Roxburgshire it should not come as a surprise that the area held the most pronounced local communities.

¹⁴ See discussion in Chapter Two.

within which a new (and largely provincial) aristocracy could join an older and established native élite, and thereby become fully absorbed into the affairs of the *regnum Scottorum*. The analysis of relationships to the crown has indicated the relatively high level of interaction between local society and the wider regnal community. Allowing for necessary social gradation, predominantly local landholders had continuing access to power and influence which blurred the lines of demarcation between local society and the wider (regnal) aristocratic community. Issues of power and influence did not therefore conform to a single generalised type. The movement of discussion away from the narrow confines of witnessing has suggested that individuals with predominantly local interests interacted more frequently with the wider regnal community than the study of attestation figures would allow.

This thesis has raised a number of important issues regarding the nature of local society. My research challenges the traditional concept of a primarily feudal-based society and suggests rather that social ties involved the operation of relationships upon a number of different levels and between a number of different social groups. The interaction of these groups within specific geographical boundaries, formed the main characteristic of a multi-faceted local society. Certainly in the final analysis, twelfth century society was not defined by a single element; my research has indicated that there was an interconnection of associated influences, benefactions, local associations, lordship, kinship and marriage ties which helped to determine an individual's loyalties and behaviour.¹⁵ To this list can be added a powerful royal presence and it may be suggested from my research that all of these elements were present and were being developed in southeastern Scotland during the period

¹⁵ See discussion in Holt, *Colonial England*, 242.

1124-1214. When these influences and associations were combined they helped to create an aristocratic presence in the region which, despite its relative newness, was developing as an integral segment of local society and the wider regnal community of which it was a part.

Appendix One

Witnessing Patterns of Lay Individuals identified Through Service

Malcolm IV: 1153-1165.

	Brieves	Five or fewer witnesses	More than five witnesses
Walter fitz Alan	15	25	30
Hugh de Moreville	8	12	13
David Olifard	5	5	14
Robert Avenel	4	5	8
Richard de Moreville	3	6	18

William I: 1165-1174.

	Brieves	Five or fewer witnesses	More than five witnesses
Walter fitz Alan	13	8	31
David Olifard	11	11	24
Richard de Moreville	8	6	34
Richard Comyn	5	6	17
Robert Avenel	3	1	11
Hugh Ridel	3	2	11

William I: 1175-1194.

	Brieves	Five or fewer witnesses	More than five witnesses
Richard de Moreville	6	8	33
Philip de Valognes	6	9	39
Earl Duncan II	5	5	-
Walter Olifard	4	6	28
Walter de Berkely	4	6	42
William de Hay	3	2	37
Robert de Quincy	3	7	25
William de Lindsey	3	7	42

William I: 1195-1214.

	Brieves	Five or fewer witnesses	More than five witnesses
Philip de Valognes	6	17	43
Earl Duncan II	4	-	19
William de Lindsey	4	11	5
William de Hay	3	2	23
Robert de Quincy	2	-	20
William Comyn	2	12	37

Appendix Two

The Recipients of Royal Brieves

Malcolm IV: 1153-1165.

	Number of brieves
Coldingham Priory	5
Dunfermline Abbey	3
St Andrews Priory Northampton	3
St Andrews Cathedral Priory	3
Holyrood Abbey	2
May Priory	2
Nostell Priory	2
Scone Abbey	2
Eynsham Abbey	1
Glasgow Cathedral	1
Harrold Priory	1
Kelso Abbey	1
Missenden Abbey	1
Ryhall Church Rutland	1
St Andrews Hospital	1

William I: 1165-1174.

	Number of brieves
Coldingham Priory	5
Kelso Abbey	4
May Priory	4
Dunfermline Abbey	3
Scone Abbey	3
St Andrews Hospital	3
Coupar Angus Abbey	2
Furness Abbey	2
Melrose Abbey	2
Bishopric of Moray	1
Durham Cathedral Priory	1
Holm Cultram Abbey	1
Newbattle Abbey	1
St Andrews Cathedral Priory	1
St Andrews Priory Northampton	1
St Neots Priory	1

William I: 1175-1194.

	Number of brieves
Arbroath Abbey	4
Dunfermline Abbey	4
Glasgow Cathedral	4
Kelso Abbey	3
Scone Abbey	3
Burgh of Inverness	2
Coldingham Priory	1
Coupar Angus Abbey	1
Holyrood Abbey	1
May Priory	1
Melrose Abbey	1
Burgh of Inverkeithing	1
Sheriff of Moray	1
St Cuthbert's Church Holy Island	1

William I: 1195-1214.

	Number of brievs
Arbroath Abbey	3
Bishopric of Moray	3
Burgh of Glasgow	1
Burgh of Inverness	1
Coldingham Priory	1
Coupar Angus Abbey	1
Dunfermline Abbey	1
Glasgow Cathedral	1
Burgh of Aberdeen	1
Lesmahagow Priory	1
Manuel Priory	1
Melrose Abbey	1
Scone Abbey	1

Appendix Three

Witnessing Patterns of the Native Earls.

c1090-1124.

	Brieves	Five or fewer witnesses	More than five witnesses
Earl Beth	1	-	-
Earl Malise	1	-	-
Earl Mackduff	-	1	-
Earl Duncan	-	1	-

David I: 1124-1153.

	Brieves	Five or fewer witnesses	More than five witnesses
Earl Duncan	2	7	23
Earl Gillemichael	1	1	1
Earl Cospatrick	1	1	2
Earl Maddoc	1	1	1
Earl Madeth	-	-	1
Earl Malise	-	-	2
Earl Morgund	-	1	1
Fergus of Galloway	-	-	2

Malcolm IV: 1153-1165.

	Brieves	Five or fewer witnesses	More than five witnesses
Earl Cospatrick	2	2	9
Earl Duncan	1	-	12
Earl Ferteth	-	-	6
Earl Gilbride	-	-	8
Uhtred son of Fergus	-	-	2
Earl Malcolm	-	-	3
Earl Morgan	-	-	1

William I: 1165-1174.

	Brieves	Five or fewer witnesses	More than five witnesses
Earl Duncan	2	2	27
Earl Cospatrick III	1	-	-
Earl Gilbert	1	1	6
Earl Waldef	1	-	17
Uhtred son of Fergus	-	-	1
Earl Malcolm	-	-	5
Earl Gilbride	-	-	4

William I: 1175-1194.

	Briefes	Five or fewer witnesses	More than five witnesses
Earl Duncan II	4	5	49
Earl Gilbert	2	2	49
Earl Gilbride	1	-	5
Earl Malcolm	-	1	6
Earl Waldef	-	-	7
Earl Colban	-	-	1
Earl Gilcrist (Mar)	-	-	7
Earl Patrick	-	-	12
Roland son of Uhtred	-	-	6
Earl Gilcrist (Mentieth)	-	-	1
Earl Maurice	-	-	1
Earl Fergus	-	-	1

William I: 1195-1214.

	Briefes	Five or fewer witnesses	More than five witnesses
Earl Duncan II	2	-	19
Earl Gilbert	1	-	7
Roland son of Uhtred	1	-	2
Earl Patrick	1	-	12
Earl Henry	-	-	1
Earl Gilcrist (Mar)	-	1	2
Earl Gilbride	-	-	1
Alan son of Roland	-	1	7
Earl Malcolm (Fife)	-	-	5

Appendix Four

The Pattern of Itinerant Witnessing

Malcolm IV: 1153-1165.

Individual and Total	Own Locality	Itinerant Witnessing with Place Date	No Place Date
Walter fitz Alan (67)	-	59 (100%)	8 (11%)
Richard de Moreville (33)	-	29 (100%)	4 (12%)
Hugh de Moreville (29)	-	24 (100%)	5 (17%)
David Olifard (26)	-	25 (100%)	1 (3%)
Robart Avenel (21)	-	17 (100%)	4 (19%)
Walter de Lindsey (17)	1	14 (93%)	2 (11%)

William I: 1165-1174.

Individual and Total	Own Locality	Itinerant Witnessing with Place Date	No Place Date
Richard de Moreville (63)	-	53 (100%)	10 (15%)
Walter fitz Alan (59)	-	50 (100%)	9 (18%)
David Olifard (45)	1	36 (97%)	8 (17%)
Richard Comyn (35)	2	27 (93%)	6 (17%)
Hugh Ridell (22)	1	14 (93%)	7 (31%)
Robert Avenel (17)	-	14 (100%)	3 (17%)

William I: 1175-1194.

Individual and Total	Own Locality	Itinerant Witnessing with Place Date	No Place Date
William de Lindsey (54)	-	50 (100%)	4 (7%)
Philip de Valognes (49)	10	33 (76%)	6 (12%)
Walter de Berkely (47)	1	42 (97%)	4 (8%)
William de Hay (44)	6	34 (85%)	4 (9%)
Walter Olifard (40)	2	34 (94%)	4 (10%)
Richard de Moreville (40)	-	35 (100%)	5 (12%)
Robert de Quincy (31)	7	18 (73%)	6 (19%)

William I: 1195-1214.

Individual and Total	Own Locality	Itinerant Witnessing with Place Date	No Place Date
Philip de Valognes (72)	10	60 (85%)	2 (2%)
William Comyn (57)	2	46 (95%)	9 (15%)
William de Hay (29%)	1	28 (98%)	-
Robert de Quincy (21)	2	18 (90%)	1 (4%)

Appendix Five

Landholding in the sample areas.

Yetholm in Roxburghshire.

Held by the Corbet family from the time of David I. Walter Corbet is the first known member of the family to hold the feu and he was followed by his sons Walter II and Robert (*Melrose Liber*, nos. 113-14). It would appear that Walter I had a brother, Robert who followed him to Scotland and who may have held land for a time at Makerstoun in the Tweed Valley (Barrow, *Kingdom of the Scots*, 34). The principle estates held by the family were, Yetholm and Morebattle with additional land at Makerstoun (Barrow, *Kingdom of the Scots*, 34; *RRS i*, no. 131). The Corbets also held land in Northumberland within the barony of Wark at Coldesmouth, Colwell and Shotton (*A History of Northumberland xi*, 128-30). Walter I married a daughter of Gilbert de Unframville constable of Northumberland (*RRS ii*, no. 447). His son Walter II married a daughter of the Earl of Dunbar and his daughter Matilda married William de Ryedale, a younger son of the neighbouring Ryedale family from Whitton (*APS*, i, p. 409-10; *Melrose Liber*, no. 160). Walter I was for a time sheriff of Roxburgh (*RRS ii*, 64). The Corbets became benefactors of both Melrose and Kelso. Walter I granted half a ploughgate in Makerstoun to Kelso and the whole of his estate at Coldesmouth in Northumberland (*Kelso Liber*, nos. 131, 359). Walter II and his brother Robert granted land at Clifton in Morebattle to Melrose (*RRS ii*, 447). Walter I also granted the tiends of the mill at Yetholm to Manuel Priory in Stirlingshire (*RRS ii*, no. 75).

Kirk Yetholm in Roxburghshire

Held by the le Nain family the first recorded member of which Ralph I le Nain (*RRS ii*, no. 222) appears during the reign of Malcolm IV. Ralph was followed by his son Richard (*Glasgow Reg*, no. 48) and his grandson Ralph III (*Kelso Liber*, no. 392) It seems that Ralph I had three further sons Hubert, Walter and Ralph II and that the younger Ralph held land in Inverugie in Buchan Aberdeenshire (Barrow, *Anglo-Norman Era*, 189;). The principle estates held by the family were Kirk Yetholm and Broughton in Peeblesshire (Barrow, *Anglo-Norman Era*, 188) Ralph I granted the Chapel of Broughton with half a ploughgate to Glasgow Cathedral (*Glasgow Reg*, no. 48).

Hownam in Roxburghshire.

Held by a native landholder Orm son of Eliaf the estate remained in the family's hands passing first to Orm's son John and then his grandson William (*Melrose Liber*, no. 119) The principle estates held by the family were Hownam, Hownam Grange and Raeshaw (*Melrose Liber*, nos. 127, 129-31) John son of Orm was for a time sheriff of Roxburgh (*RRS ii*, 64) The family

became benefactors of Melrose granting the abbey Rushy Fell in Raeshaw and Hownam Grange (*Melrose Liber*, nos. 127, 129-31).

Elstanehale in Roxburghshire.

Another native landholding, Elstanehale was held by Uchtred and eventually by his son Simon and grandson John (*Melrose Liber*, no. 119; *Laing Chrs*, no. 9). Little is known about this landholding except that it included an estate at Elstanehale on the Bowmont Water above Mow. Uchtred and his son Simon are known to have been benefactors of Melrose granting land on their estate to the abbey (*Melrose Liber*, no. 119).

Mow in Roxburghshire.

The first recorded holder of the estate was Anselm de Mow who appears on record after Walter fitz Alan had been granted the lordship of the area by Malcolm IV in 1161 (*RRS i*, no. 183). Anselm it appears had no surviving sons and the estate was divided between his daughters Isolda (*Kelso Liber*, no. 156) and Matilda (*Kelso Liber*, no. 158). Anselm and his daughters became benefactors of both Kelso and Melrose. Melrose was granted half a ploughgate and pasture in Mow (*Melrose Liber*, nos. 133-35). Kelso received one acre of land in the village and the tiends of the mill along with pasture for 700 sheep (*Kelso Liber*, nos. 152-5).

Simon de Malverer also held land within the Mow parish (*Kelso Liber*, no. 148). Simon married Cecila the daughter of Eschina de Londres and they granted 20 acres of land and pasture for 300 sheep to Kelso (*Kelso Liber*, nos. 148, 150-1).

Primside in Roxburghshire

The only recorded holder of this estate was Geoffrey Ridel whose relationship to the Lothian Ridels is unknown (*Kelso Liber*, no. 367). The Ridel succession history at Primside is unknown. Geoffrey became a benefactor of both Melrose and Kelso. He granted two bovates of land at Primside to Melrose and to Kelso he donated pasture for 20 cows (*Melrose Liber*, no. 147; *Kelso Liber*, nos. 367-8).

Whitton in Roxburghshire

The estates at Whitton had been granted to Walter de Ryedale by David I (*RRS i*, no. 42). Walter's heir appears to have been his brother Ansketil who may have a dispute regarding his title to the land as he appealed to the pope for his rights (Lawrie, *Annals* xv). Thereafter, Ansketil was followed by his son Patrick and his grandson Walter II (*Melrose Liber*, nos. 156, 158). The principle estates held by the family were Whitton and half of nearby Chatto. The Ryedales also held property at Lilliesleaf in Teviotdale and Riccalton in the Jed Valley (*RRS i*, no. 42). Patrick de Ryedales younger son William married

Matilda Corbet the daughter of a neighbouring landholder Walter I Corbet (*Melrose Liber*, no.160). Whilst there is no record of a Ryedale alienating land to a monastic community before Patrick, it is known that he and his son Walter II became benefactors of Melrose granting the house unspecified land at Whitton (*Melrose Liber*, nos. 116, 167).

Clifton in Morebattle Roxburghshire.

Walter de Windsor first appears at Clifton under William I (*RRS ii*, no. 214). His succession history is unknown but it is known that he had a brother Robert who appears towards the close of the period (*Kelso Liber*, no. 215). The estate comprised part of the village of Clifton in Morebattle parish. From here Walter became a benefactor of Melrose granting the house unspecified land on his estate (*Melrose Liber*, no. 116).

Hadden in Roxburghshire.

The first known holder of this estate was Bernard fitz Brian who appears early in the reign of William I (*RRS ii*, no.101). Bernard appears to have had no surviving children and by the close of the twelfth century the estate had passed to his nephew Bernard II de Hadden (*Kelso Liber*, no. 213). The principle lands of the estate were held in Hadden and Redden (*RRS ii*, no. 101). Bernard II de Hadden was sheriff of Roxburgh *circa* 1213 (*RRS ii*, 64). The Haddens became benefactors of Kelso. Bernard I granted the house 1 ploughgate at Hadden with a toft and 10 acres which was added to by his nephew who granted a further ploughgate and the teinds of Redden mill (*Kelso Liber*, nos. 205-6, 213, 217).

Heiton in Roxburghshire.

The first holders of this estate were the Percy brothers Geoffrey and Alan who were granted their land by David I (*RRS i*, no. 95). It would seem that neither left surviving sons and so during the reign of Malcolm IV the estate passed to Philip de Colville. Thereafter it passed to his son Thomas and grandson William (Barrow, *Anglo-Norman Era*, 177). The principle lands of the estate were Heiton and Oxnam (*RRS i*, no. 95). The Percy's also held substantial estates in Whitby Yorkshire. The Colvilles also held land at Carsphairn within the lordship of Dalmellington near Dumfries (Barrow, *Anglo-Norman Era*, 177). It is known that William de Colville married Ada de Malherbe the widow of John de Malherbe lord of Morham in East Lothian (*Newbattle Reg*, no. 99). The Colvilles became benefactors of Dryburgh Abbey when Philip granted the house 2 bovates of land at Heiton (*Dryburgh Liber*, no. 225). Earlier the Percy's had granted 1 ploughgate at Heiton to Kelso and 2 ploughgates to their family's foundation at Whitby (*Kelso Liber*, no. 358; *ESC*, nos. 252-3).

Sprouston in Roxburghshire.

The only known holder of this estate is Ralph de Ver who is first mentioned during the reign of William I (*RRS ii*, no. 306). Little is known about this estate except for the fact the Ralph granted 1 bovat of his land to Kelso Abbey (*Kelso Liber*, nos. 23, 215).

Fairnington in Roxburghshire.

The first recorded holder of this estate was Simon Farburne who appears during the reign of Malcolm IV (*Melrose Liber*, no. 86). Simon was followed by his son Robert and grandson Roger (*Kelso Liber*, no. 268; *Melrose Liber*, no. 140). The principle land of the estate was at Fairnington but the family also held land at Rosyth and Dunduff in Fife and at Masterton in Newbattle parish East Lothian (*RRS i*, nos. 256, 294; *RRS ii*, nos. 9). It is not known whether the family became benefactors of any monastic houses.

Also holding land within Fairnington parish was Roger Burnard (*Melrose Liber*, nos. 87-8). Little is known about Roger except that he granted 1 bovat of his land to Melrose (*Melrose Liber*, 87-8).

St Boswells in Roxburghshire.

Was held from the reign of David I by the de Londres family. The first recorded holder was Thomas de Londres (Barrow, *Anglo-Norman Era*, 183). He appeared to have had no surviving children and the next recorded holder of the estate was his nephew Robert de Londres. (*Melrose Liber*, no. 88). He in turn passed the estate on to his son Roger (*Kelso Liber*, no. 139). The estate was comprised of part of St Boswells and land nearby at Newton (Barrow, *Anglo-Norman Era*, 183). Thomas de Londres married Margaret Lovel the widow of Ralph Lovel the lord of Hawick (Barrow, *Anglo-Norman Era*, 183). Robert de Londres was the step cousin of Henry Lovel and the cousin of Robert de Berkely who held the nearby feu of Maxton (Barrow, *Anglo-Norman Era*, 174, 183). Robert de Londres became a benefactor of Melrose and Dryburgh. He granted half a ploughgate at St Boswells to Melrose and the church of St Boswells and the chapel at Newton to Dryburgh (*Melrose Liber*, no. 88; *Dryburgh Liber*, nos. 53-4, 56, 59)

Maxton in Roxburghshire.

Robert de Berkely first appears at Maxton during the reign of William I (Barrow, *Anglo-Norman Era*, 174-5). He had no surviving sons and his estates passed through his daughter to Hugh de Normanville of Stamfordham in Northumberland. (Barrow, *Anglo-Norman Era*, 175). The estate comprised of Maxton although the Normanvilles continued to hold Stamfordham as well. Robert was the brother of Walter de Berkely who became Chamberlain under William I (Barrow, *Anglo-Norman Era*, 174). He was also the cousin of Robert

de Londres (see entry above). Robert became a benefactor of Melrose granting the house 1 ploughgate at Maxton (*Melrose Liber*, no. 90).

Hawick in Roxburghshire.

The first recorded holder of Hawick was Ralph Lovel *circa* 1139. He in his turn was followed by his son Henry and grandson Richard (Barrow, *Anglo-Norman Era*, 184-5). The estate was comprised of much of upper Teviotdale including Hawick, Branxholm and Roberton. The Lovels also held Castle Cary in Somerset (Barrow, *Anglo-Norman Era*, 184-5). Hawick probably came to Ralph through his marriage to the estates heiress Margaret (Barrow, *Anglo-Norman Era*, 184). It is known that Henry Lovel had a brother, Robert, who held land on the estate at Roberton (Barrow, *Anglo-Norman Era*, 184-5). Margaret Lovel granted outerside in Roberton to Jedburgh Abbey (*RRS ii*, no. 62). Her son Henry granted 2 bovates at Branxholm to St Andrews Cathedral (*St Andrews Cart*, no. 261).

Ashkirk in Roxburghshire.

The first recorded holder of Ashkik is Andrew de Synton who appears during the reign of William I (*RRS ii*, no. 581A). He was followed by his son Alexander (Black, *Surnames*, 728). The principle estates held by the family were Ashkirk and Synton in Ashkirk parish (*RRS ii*, no. 581A). Andrew de Synton was sheriff of Selkirk, which office seems to have become hereditary (*RRS ii*, 64). It is not known whether the Syntons became religious benefactors.

Morham in East Lothian.

The first recorded holder of Morham is John de Malherbe during the reign of William I (*Newbattle Reg*, no. 86). He was succeeded by his son Thomas de Morham (*Newbattle Reg*, no. 87). The principle lands held by the family were estates at Morham and nearby Bearford (*Newbattle Reg*, nos. 86, 87-8). The family also held Pannebrid in Angus (*Arbroath Liber*, nos. 24-5). John's widow Ada de Malherbe married as her second husband William de Colville (*Newbattle Reg*, no. 99). Thomas married Ella de St Martin which brought him half of the feu of Athelstaneford (*Newbattle Reg*, no. 101). John and Thomas became benefactors of Newbattle granting the house the mill at Morham and land at Bearford. John also agreed to contract the marches of his feu over which he had been in dispute with the monks. Finally Thomas granted the house the right to make a stank (*Newbattle Reg*, nos. 86-7, 90, 98, 100). John also patronised Arbroath Abbey granting it his rights in the church of Pannebrid (*Arbroath Liber*, nos. 24-5).

Athelstaneford in East Lothian.

Alexander de St Martin first appears at Athelstaneford during the reign of David I (*ESC*, no. 186). Alexander had no surviving sons and his estates were divided up between his daughters Ada and Ella (*Newbattle Reg*, no. 101). The principle lands were Athelstaneford, Langelaw (lost in Haddington) and an estate at Seton (*Laing Chrs*, no. 2) Ella de St Martin married Thomas de Morham (see entry above). Alexander was sheriff of Haddington (*RRS ii*, 64). Alexander granted Langelaw to Dryburgh Abbey for the soul of Malcolm de Moreville who he had killed in a hunting accident (*RRS ii*, no. 122). He was also a benefactor of Newbattle granting the house a peatry in Athelstaneford (*Newbattle Reg*, no. 101) and Holyrood to which house he granted half a silver merk a year (*RRS ii*, no. 517).

Yester in East Lothian.

Hugh Giffard first appears early in the reign of William I (*RRS ii*, no. 85). He was succeeded by his son William (*Newbattle Reg*, no. 82). The principle lands of the estate were Yester including Monkrigg and Sheriffsides (*RRS ii*, no. 85). The family also held Tealing in Angus (*RRS ii*, nos. 358, 418), Fintry and half of Hadgill in Fife (*RRS ii*, no. 149), Powgavie in Perthshire (*RRS ii*, nos. 202, 418) and Strachan in the Mearns (*RRS ii*, no. 340). Hugh had also held Potton in Bedfordshire but was confiscated in 1174. Hugh granted Monkrigg to Newbattle (*RRS ii*, no. 81) He also granted 2 bovates in Powgavie to St Andrews Hospital Fife and the church of Tealing to St Andrews Cathedral (*RRS ii*, nos. 202, 358).

Humbie in East Lothian.

The only known holder of this estate is Simon Fraser who appears during the reign of William I (*RRS ii*, no. 239A). He granted the church of Keith Humbie to Kelso Abbey (*RRS ii*, nos. 239A, 367).

Pencaitland in East Lothian.

Held by Everard de Pencaitland (*RRS ii*, no. 299). He was succeeded by his son Walter (*Kelso Liber*, no. 369). Not much is known about the Pencaitland family except that Everard and his son granted the church of Pencaitland to Kelso (*RRS ii*, no. 367).

Cousland in East Lothian.

The first known holder of this feu was Ralph de Graham (*RRS ii*, no. 125). Thereafter the succession history is unclear. It seems that Ralph had two sons Henry and Peter (*Newbattle Reg*, no. 7-8) who both held the estate at one time after their father but that it was Peter's son Henry II who had eventually succeeded by the turn of the century (*RRS ii*, no. 125 and notes). The estate comprised of Cousland and land at Pentland (*RRS ii*, no. 125) Henry and his

brother Peter granted unspecified land at Cousland to Newbattle (*Newbattle Reg*, nos. 7-8).

Gullane in East Lothian.

The first recorded holder of this feu was John de Vaux. He was succeeded in turn by his sons William and in 1213 John II de Vaux (*RRS ii*, nos. 444, 446). The principle lands were the estates of Gullane and Dirleton (*RRS ii*, nos. 444, 446). The Vaux family also held Lumsdaine in Coldingham which in 1204 was renounced to the priory in exchange for 1 ploughgate in Swinton (*RRS ii*, nos. 434, 586). The family also had land and connections in Cumbria at Gilsland (*PR 12, Henry II*, 88). William granted the church of Eldbottle in Gullane with 20 acres to Dryburgh.

Seton in East Lothian.

The first recorded holder of Seton was Alexander de Seton. He was succeeded by his son Philip and grandson Alexander II (*RRS ii*, nos. 200, 390). The lands of the estate were Seton, Winton in Pencaitland and land at Beeth in Tranent (*RRS ii*, nos. 200, 390; *Dunfermline Reg*, nos. 177-8). Alexander I de Seton granted land at Beeth to Dunfermline Abbey (*Dunfermline Reg*, nos. 177-8).

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